

## **ARTICLE 31 TRANSIT AND TRAFFIC**

**(Current through December 31, 2005)**

**NOTE ON DEPARTMENT OF TRANSPORTATION: Ordinance 03-501 (effective March 17, 2003) established a new “Department of Transportation” {Section 1}. The Ordinance authorizes the Director of the Department to “appoint or employ assistants and employees” and to “delegate to [them] the powers and duties that the Director considers proper” {Section 1}, and transfers to the Department, among other powers, duties, and programs, “the powers and duties of the Department of Public Works set forth in Article 31 of the City Code” {Section 2(a)}.**

**Subsequently, Resolution 04-056 (ratified November 2, 2004) added City Charter Article VII, §§ 114 through 116, establishing the Department of Transportation as one of the City’s Executive Departments {§ 114} and granting to it certain powers and duties over**

**Street Construction and Maintenance {§ 116(b)}**

**Lighting {§ 116(c)}**

**Conduit System {§ 116(d)}**

**– as well as “the additional powers and duties relating to the construction, reconstruction, and maintenance of streets, to transportation, and to traffic ... as are prescribed by law” {§ 116(e)}.**

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**626 City Hall**  
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**SUBTITLE 1**  
**DEFINITIONS; GENERAL PROVISIONS**

**§ 1-1. Definitions — A to L.**

(a) *In general.*

The following words and phrases used in this article shall have for the purposes of this article the meanings respectively provided in this subtitle (unless specifically stated otherwise).

(b) *Alley.*

“Alley” means any roadway open to the general public primarily designed and used for the servicing of contiguous buildings through their rear or side entrances.

(c) *Authorized emergency vehicle.*

“Authorized emergency vehicle” means any vehicle of the fire department, police department, and such ambulances and emergency vehicles of municipal departments or public service corporations as are lawfully designated or authorized by the Police Commissioner of Baltimore City.

(d) *Bicycle.*

“Bicycle” means every device propelled by human power upon which any person may ride, having 2 tandem wheels either of which is more than 20 inches in diameter.

(e) *Bus.*

“Bus” means every motor vehicle which is at the same time a mass transportation vehicle.

(f) *Commercial vehicle.*

“Commercial vehicle” means:

- (1) every vehicle designed, maintained, and used primarily for the transportation and/or hauling of property, including but not limited to equipment, merchandise, parcels, earth, trash, refuse, scrap, or motor vehicles;
- (2) every vehicle, except a passenger car, which has commercial advertising on the exterior of the body or on equipment attached thereto;
- (3) every vehicle having a maximum gross vehicle weight of 7,000 pounds or more or a manufacturer’s rated capacity of  $\frac{3}{4}$ -ton or more; and
- (4) every vehicle that is designed to carry more than 10 passengers and is used to carry people.

(g) *Crosswalk*

“Crosswalk” means:

- (1) that part of a roadway at an intersection included between the prolongations of the lateral curb line and the building line; or
- (2) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings.

(h) *Curb*.

“Curb” means the lateral boundary of a roadway, whether marked by curb stone or not.

(i) *Driver*.

“Driver” means every person in actual physical control of a vehicle.

(j) *Driveway*.

“Driveway” means a communicating way between a roadway and an off-street facility designed in such manner as to permit a vehicle to leave said roadway at grade and enter entirely into said off-street facility.

(k) *Expressway*.

“Expressway” means:

- (1) any limited-access through highway or freeway designated as such by the Director of Public Works; or
- (2) any highway designated as an expressway by ordinances passed by the Mayor and City Council in accordance with and for the purposes of that portion of this Code which deals with the prohibition of advertising matter thereon and adjacent thereto.

(l) *Footway*.

“Footway” means that section beyond the vehicular path along a paved or unpaved roadway reserved for and normally used by pedestrians.

(m) *Freight {curb} loading zone*.

“Freight {curb} loading zone” means a space adjacent to a curb reserved for the exclusive use of commercial vehicles during the expeditious taking on or discharging of property.

(n) *Highway*.

“Highway” means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(o) *Intersection*.

“Intersection” means:

- (1) the area embraced within the prolongation or connection of the lateral curb lines or, if none, then the lateral boundary lines of the roadways of 2 highways which join one another at, or approximately at, right angles; or
- (2) the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(p) *Lane*.

“Lane” means any section of a roadway which is clearly delineated from the other sections of said roadway by lines, markings, or physical barriers.

(q) *Loading*.

“Loading” means the expeditious taking on or discharging of merchandise.

(*City Code, 1966, art. 31, §38(1) - (17); 1976/83, art. 31, §28(1) - (17).*) (*Ord. 66-815; Ord. 88-136.*)

**§ 1-2. Definitions — M to R.**

(a) *Mass transportation vehicle*.

“Mass transportation vehicle” is any vehicle used primarily for the transportation of the general public, with a seating capacity of 10 or more persons.

(b) *Motorcycle*.

“Motorcycle” means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than 3 wheels in contact with the ground, but excluding a tractor.

(c) *Motor vehicle*.

“Motor vehicle” means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(d) *Park, parking*.

The terms “park” and “parking”, when prohibited or regulated as to vehicles:

(1) mean the standing of a vehicle, whether or not occupied; but

(2) do not include the standing of a commercial vehicle while actually engaged in lawful, expeditious loading or unloading.

(e) *Passenger {curb} loading zone.*

“Passenger {curb} loading zone” means a space adjacent to a curb reserved for the exclusive use of vehicles taking on or discharging passengers or passengers’ baggage transported upon the same vehicle.

(f) *Pedestrian.*

“Pedestrian” means any person afoot.

(g) *Person.*

“Person” means every natural person, firm, copartnership, association, or corporation.

(h) *Police officer.*

“Police officer” means:

(1) every officer of the municipal police department; or

(2) any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

(i) *Private way.*

“Private way” means every way or place:

(1) in private ownership; and

(2) used for vehicular travel by the owner and those having the owner’s express or implied permission from the owner, but not by other persons.

(j) *Public transportation vehicle.*

“Public transportation vehicle” means any vehicle used primarily for the transportation of the general public.

(k) *Railroad.*

“Railroad” means a carrier of persons or property, other than streetcars, operated upon stationary rails.

(l) *Railroad train.*

“Railroad train” means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars.

(m) *Residential district.*

“Residential district” means the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improved with residences or residences and buildings in use for business.

(n) *Right-of-way.*

“Right-of-way” means the privilege of the immediate use of the roadway.

(o) *Roadway.*

“Roadway” means that portion of a highway improved, designed, or ordinarily used for vehicular traffic.

(*City Code, 1966, art. 31, §38(18) - (32); 1976/83, art. 31, §28(18) - (32).*) (*Ord. 66-815; Ord. 92-122.*)

**§ 1-3. Definitions — S to Z.**

(a) *Safety zone.*

“Safety zone” means the area or space:

(1) officially set apart within a roadway for the exclusive use of pedestrians; and

(2) which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(b) *School bus.*

“School bus” means any vehicle in use as a conveyance for students to or from a public, private, or parochial school, marked and equipped as specified in the Maryland Vehicle Law.

(c) *Sidewalk.*

“Sidewalk” means any paved footway.

(d) *Stand; standing.*

“Stand” or “standing” means to occupy or remain in 1 place.

(e) *Stop; stopping or stand; standing.*

- (1) The terms “stop” and “stopping” or “stand” and “standing”, when prohibited as to vehicles, refer to any stopping of a vehicle, whether or not occupied, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device.
- (2) Public transportation vehicles shall be permitted to load passengers, when said passengers are at the curb and ready for immediate loading.

(f) *Street.*

“Street” means a highway.

(g) *Taxicab.*

The term “taxicab” as used in this article shall embrace any motor vehicle for hire, designed to carry 9 persons or less, including driver, operated upon any public street or highway in this City or, on call or demand, accepting or soliciting passengers, indiscriminately for transportation for hire between such points along public streets or highways in this City, as may be directed by the passenger or passengers so being transported.

(h) *Traffic.*

“Traffic” means pedestrians, ridden or herded animals, vehicles, streetcars, and any other conveyances either singly or together while using any highway for purposes of travel.

(i) *Traffic control device.*

“Traffic control device” means any official device which controls or directs the movement of traffic.

(j) *Traffic control signal.*

“Traffic control signal” means any *{traffic control}* device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.

(k) *Transit loading zone.*

“Transit loading zone” means a space at a curb or any other place properly designated by official signs or markings, reserved for the use of transit vehicles.

(l) *Transit mall.*

A “transit mall” is a street so designated by the Director upon which vehicular traffic, other than transit vehicles, is prohibited during certain hours by rule or regulation adopted and promulgated by the Director.

(m) *Transit stop.*

“Transit stop” means a transit loading zone.

(n) *Transit vehicle.*

“Transit vehicle” means any mass transportation vehicle.

(o) *Truck.*

“Truck” means any commercial vehicle.

(p) *“U” turn.*

(1) “‘U’ turn” where prohibited means the reversal of the direction of travel by a vehicle without leaving the roadway upon which it is proceeding.

(2) Any person making a “U” turn shall also be presumed to have made a left turn.

(q) *Vehicle.*

“Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

(*City Code, 1966, art. 31, §38(33) - (38); 1976/83, art. 31, §28(33) - (48).*) (*Ord. 66-815; Ord. 73-428; Ord. 84-107.*)

**§ 1-4. {Reserved}**

**§ 1-5. Purpose of article.**

The purpose of this article is to:

(1) provide for the safe and expeditious movement of traffic in the City of Baltimore;

(2) protect the safety of the citizens using its streets; and

(3) create conditions favorable to the safe and expeditious movement of mass transit vehicles in the City of Baltimore.

(*City Code, 1950, art. 38, §1(a)(intro cl.); 1966, art. 31, §1(a)(intro cl.); 1976/83, art. 31, §1(a)(1).*) (*Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord. 99-526.*)

**SUBTITLE 2**  
**GENERAL ADMINISTRATION**

**§ 2-1. Director of Public Works.**

(a) *To administer article*

Except as otherwise specifically stated, the Director of Public Works shall administer the provisions of this article.

(b) *To perform other assigned duties.*

The Director of Public Works shall perform the duties that are imposed by ordinance or assigned by the Mayor of the City of Baltimore.

*(City Code, 1950, art. 38, §1(a)(bal.), (c)(1<sup>st</sup> sen.); 1966, art. 31, §1(a)(bal.), (c)(1<sup>st</sup> sen.); 1976/83, art. 31, §1(a)(2), (c)(1<sup>st</sup> sen.)) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord. 99-526.)*

**§ 2-2. Rules and regulations.**

(a) *In general.*

The Director of Public Works may:

- (1) adopt such rules and regulations as he may deem necessary for the proper transaction of his business; and
- (2) adopt and promulgate rules, regulations, orders, and directives relating to or in connection with the movement of vehicular and pedestrian traffic in the City of Baltimore.

(b) *Filing with Legislative Reference.*

Copies of all administrative regulations issued by the Director of Public Works shall be filed and kept on record in the Department of Legislative Reference.

*(City Code, 1950, art. 38, §2(k); 1966, art. 31, §1(b)(1<sup>st</sup>, 4<sup>th</sup> sens.), §2(24); 1976/83, art. 31, §1(b)(1<sup>st</sup>, 4<sup>th</sup> sens.), §2(24).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006.)*

**§ 2-3. Records.**

(a) *Director to keep.*

- (1) The Director of Public Works shall keep records of his proceedings.
- (2) He shall keep a record of all resolutions, transactions, findings, determinations, decisions, and administrative regulations.



(b) *Open to public.*

All the records of the Director of Public Works shall be kept in the office of the Director of Public Works and shall be public records.

(*City Code, 1950, art. 38, §1(b)(6<sup>th</sup> sen.); 1966, art. 31, §1(b)(2<sup>nd</sup>, 3<sup>rd</sup> sens.); 1976/83, art. 31, §1(b)(2<sup>nd</sup>, 3<sup>rd</sup> sens.).*) (*Ord. 51-1678; Ord. 53-786; Ord. 57-1006.*)

**§ 2-4. Employees, consultants, etc.**

(a) *Employees, etc.*

(1) The Director of Public Works may appoint, employ, hire, or engage assistants, aides, and employees as necessary for the proper performance of the Director's duties and functions.

(2) The compensation of those assistants, aides, and employees shall be paid as provided in the annual Ordinance of Estimates.

(b) *Consultants, etc.*

The Director of Public Works, subject to the prior approval of the Board of Estimates, also may employ or hire, from time to time, on a temporary basis, by contract, consulting, planning, or designing engineers or other persons possessing technical or specialized skills in connection with the duties, powers, and function of the Director of Public Works.

(*City Code, 1950, art. 38, §1(d); 1966, art. 31, §1(c)(2<sup>nd</sup>, 3<sup>rd</sup> sens.), (d); 1976/83, art. 31, §1(c)(2<sup>nd</sup>, 3<sup>rd</sup> sens.), (d).*) (*Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord. 99-526.*)

**§ 2-5. General powers and duties.**

The Director of Public Works be and he is hereby granted full power and authority and directed to do any and all of the following:

(1) collect and analyze:

(i) all physical and economic data needed to measure existing, and to estimate future, street and highway traffic characteristics and needs, including parking needs; and

(ii) all data of whatsoever nature deemed helpful in expediting the flow of mass transportation traffic in the City of Baltimore;

(2) make such studies and collect data concerning the use of mass transportation systems operated in other municipalities located in the United States or any foreign nation, as he deems necessary or helpful;

(3) maintain records and information with respect to the operation of public mass transportation systems in the City of Baltimore;

(4) make studies relating to future needs and facilities for mass transportation systems in the City of Baltimore and its metropolitan area;

- (5) cooperate fully with officials of surrounding political subdivisions to effectuate over-all transit and traffic coordination;
- (6) make studies relating to the staggering of work hours of all businesses conducted in the City of Baltimore and the surrounding metropolitan area, to meet with and confer with the officials of the metropolitan area, officials of any company or business located in the metropolitan area, and to make recommendations as to work hours of the said establishments;
- (7) study the routing or rerouting of existing or future mass transportation lines in the City of Baltimore and to recommend to the mass transportation companies and the Maryland Mass Transit Authority the adoption of said routes or reroutings;
- (8) prepare plans and/or make recommendations to the proper officials for the removal of obstructions to the flow of traffic including transit traffic;
- (9) reroute transit traffic in the City of Baltimore in the event of such contingencies as fire, flood, and other emergencies, in cooperation with the Police Department, Fire Department, and other municipal offices and agencies of Baltimore City;
- (10)(i) designate portions of certain streets as transit lanes and to specify the type of vehicles and the particular use to which the said lanes may be put; and
  - (ii) further, prohibit parking or stopping in the manner and subject to the conditions and limitations set forth in § 2-6 of this subtitle on portions of streets designated as transit lanes, and whenever the Director of Public Works has prohibited stopping or parking in such lanes in accordance with § 2-6 of this subtitle and a vehicle shall be stopped or parked contrary to an administrative regulation, and signs are posted warning that stopping or parking in violation of such regulation will result in the impounding of said motor vehicles, the Police Department of Baltimore City shall impound such vehicles in the manner and under the conditions set forth in Subtitle 31 of this article;
- (11)(i) approve or disapprove the location of all transit loading zones, to locate and determine the size of all transit loading zones in the City of Baltimore used by mass transportation companies operating in the City of Baltimore, and, further, to rescind or modify any prior approval heretofore given for such transit loading zones; and
  - (ii) whenever any location has been designated as a transit loading zone, no vehicle other than a mass transit vehicle shall stop in said transit loading zone;
- (12) require that all mass transportation vehicles before loading or unloading passengers must be, wherever possible, within 12 inches from the curb;
- (13) direct that no transit vehicle shall stop at any point other than an established transit loading zone for the purpose of loading or unloading passengers, except as may be required by an emergency or at the direction of a police officer;

- (14)(i) have and exercise all control over traffic which the Police Commissioner of the City of Baltimore had prior to the time of the establishment of the *{former}* Traffic Commission of Baltimore City, including the power to establish special “no parking” spaces;
- (ii) further, provided that whenever special conditions make it necessary or expedient to prepare plans for the integrated operation of traffic, the said Director of Public Works shall have the power to make such special regulations with regard to traffic; and
- (iii) nothing in this section shall be construed to delimit the power of the Police Commissioner as set forth in § 28-1 of this article to act in emergencies or special situations;
- (15) conduct engineering analyses of traffic accident causes and take such action, or submit recommendations to the proper persons for elimination of accident causes, make engineering, investigations and plans to improve traffic conditions;
- (16) prepare and submit to the Mayor and City Council an annual report of the progress and operations of the Department of Public Works;
- (17) make recommendations to the Mayor and City Council of Baltimore for the improvement of traffic conditions in the City of Baltimore, which cannot be accomplished by the directives, orders, rules, or regulations promulgated by the Director of Public Works as authorized by § 2-2 of this article;
- (18) hold such public hearings as, in his discretion, may be necessary in connection with the exercise of his powers, as set forth herein, such hearings to be held and conducted in the manner determined by the Director of Public Works;
- (19) establish and determine the design, timing, type, size, and location of any and all signs, signals, markings, pylons, channelization, and other devices for guiding, directing, or otherwise regulating, controlling, and contributing to or detracting from the safety of vehicular and pedestrian traffic;
- (20) design, install, and maintain traffic signs, signals, markings, pylons, channels, and other devices for the control of vehicles and pedestrians;
- (21) make recommendations relating to the design of new public ways or traffic structures as they relate to traffic operations;
- (22) designate any intersection as a “STOP” intersection or thoroughfares as “through highways”;
- (23) designate intersections where left and/or right hand turns are prohibited for any or all types of vehicles;
- (24) prohibit stopping and/or parking on sections of roads, streets, lanes, or alleys, or adjacent to structures or adjacent to intersections where in the opinion of the Director of Public Works, presence of grades, hills, curves, bridge approaches, underpasses, or inadequate sight-distances create hazardous, hazard-producing, or unusual parking conditions; and

(25) adopt and promulgate rules and regulations which prohibit certain types of vehicular traffic during certain hours in order to improve the movement of pedestrians and transit vehicles on certain streets designated by the Director as transit malls.

(City Code, 1950, art. 38, §2(a) - (j); 1966, art. 31, §2(1) - (23); 1976/83, art. 31, §2(1) - (23), (25).)  
(Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord. 65-455; Ord. 65-465; Ord. 68-161; Ord. 84-107.)

**§ 2-6. Parking restrictions and 1-way streets.**

(a) *Basic limitations.*

(1) Except under the conditions outlined and provided for herein below, the Director of Public Works shall not have the power:

(i) to adopt and promulgate rules, regulations, orders, or directives in the nature of general parking and stopping restrictions; or

(ii) to establish 1-way streets.

(2) Except as outlined and provided for herein below, the power to make general parking and stopping restrictions or to establish 1-way streets is specifically reserved to the Mayor and City Council, to be exercised by ordinance.

(b) *Temporary regulation.*

The Director of Public Works may establish by administrative regulation temporary parking and stopping restrictions, including reserved parking for disabled persons, and/or temporary 1-way streets, to be fully effective as established for a period not to exceed 6 months.

(c) *Procedure to extend regulation.*

(1) Such an administrative regulation may be made permanently effective by the Director's giving notice not less than 15 days prior to the expiration of the aforesaid 6-month period to the President of the City Council and the Chairman of the Highways and Franchises Subcommittee of the City Council.

(2) Such notice shall include the administrative regulation in question, together with a statement that the Director of Public Works desires said regulation to become permanent.

(3) If no written objection to the administrative regulation is made by the President of the City Council or the Chairman of the Highways and Franchises Subcommittee and forwarded to the Director of Public Works, the regulation shall cease to be temporary and become permanently effective at the end of the aforementioned 6-month period.

(4) If such a written objection is received by the Director of Public Works, an ordinance setting forth the provisions of the administrative regulation shall be introduced into the City Council and, depending upon the passage or failure of the ordinance, the administrative regulation shall become permanently effective or be of no further force or effect.

(d) *Termination by ordinance.*

At any time after such an administrative regulation is issued, the Mayor and City Council may by ordinance direct the Director of Public Works to rescind the administrative regulation concerning any parking and stopping restrictions or 1-way streets established by him in accordance with this section and at the time when such an ordinance shall become effective, the administrative regulation referred to shall be abrogated and be of no further force or effect.

(e) *Section not binding on future legislatures.*

Nothing in this section shall be construed or applied to limit the right of the Mayor and City Council by ordinance to legislate on the subject matter contained in this article.  
(*City Code, 1950, art. 38, §2(last par.); 1966, art. 31, §3; 1976/83, art. 31, §3(a), (b).*) (Ord. 51-1678; Ord. 70-752.)

**§ 2-7. Ticket-fixing.**

(a) *In general.*

The Director of Public Works is authorized to declare invalid and cancel any citations for stopping, standing, or parking violations:

- (1) due to a defect in the traffic control device regulating stopping, standing, or parking, or
- (2) where there has been insufficient or improper notice of violation insofar as stopping, standing, or parking is concerned.

(b) *Limitations.*

The Director of Public Works may not authorize the cancellation of any citation where the reasons for said cancellation are dependent upon the testimony of the parties directly concerned.

(c) *Reasons to be documented.*

In all cases where the Director of Public Works authorized the cancellation of a citation, the reasons for said authorization shall be fully documented.  
(*City Code, 1976/83, art. 31, §3(c).*) (Ord. 74-768.)

**§ 2-8. Review of plans for buildings and facilities.**

(a) *Public structures.*

All designs, drawings, and plans prepared by any department or agency of the Mayor and City Council of Baltimore for the construction or location of any public building, park, or recreational area, or other structure which may affect the movement of traffic in the City of Baltimore, shall be submitted to the Director of Public Works for review and recommendation before any actual construction operations are commenced.

(b) *Private commercial or industrial.*

And in all cases where designs, drawings, or plans are submitted to any department or agency of the Mayor and City Council of Baltimore in connection with an application for a permit or authorization to construct or locate any proposed privately owned commercial or industrial building or structure, including but not limited to any off-street parking facility or garage to be used by the public, which may affect the movement of traffic in the City of Baltimore, the department or agency of the municipality receiving such designs, drawings, or plans shall immediately notify the Director of Public Works upon the receipt of such designs, drawings, or plans so that the Director of Public Works may have an opportunity to review such designs, drawings, or plans and make recommendations relative thereto.

(*City Code, 1950, art. 38, §4; 1966, art. 31, §4; 1976/83, art. 31, §4.*) (*Ord. 51-1678; Ord. 53-786; Ord. 57-1006.*)

**§ 2-9. Street signs.**

The function of placing and maintaining suitable signs bearing names of streets throughout the City is removed from the Bureau of Mechanical-Electrical Service and placed under the Director of Public Works.

(*City Code, 1966, art. 31, §8; 1976/83, art. 31, §8.*) (*Ord. 66-827; Ord. 75-920.*)

**§ 2-10. {Reserved}**

**§ 2-11. Inconsistent laws, etc.**

Any and all laws, ordinances, and regulations and any and all parts of any and all laws, ordinances, and regulations in force in the City of Baltimore inconsistent with the provisions of this subtitle or with any rule, regulation, order, or directive hereafter promulgated by the Director of Public Works, as hereinbefore provided, are hereby repealed to the extent of any such inconsistency, and any and all laws, ordinances, and regulations and any and all parts of any and all laws, ordinances, and regulations in force in the City of Baltimore not inconsistent, amended, or superseded by the provisions of this subtitle or any rule, regulation, order, or directive hereafter promulgated by the Director of Public Works shall remain in full force and effect.

(*City Code, 1966, art. 31, §6; 1976/83, art. 31, §6.*) (*Ord. 57-1006.*)

**§ 2-12. Severability.**

In case it is judicially determined that any word, phrase, clause, item, sentence, paragraph, section, or part in or of this subtitle, or the application thereof to any person or circumstances, is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, the Mayor and City Council hereby declaring that they would have ordained the remaining provisions of this subtitle without the word, phrase, clause, item, sentence, paragraph, section, or part, or the application thereof, so held invalid.

(*City Code, 1966, art. 31, §7; 1976/83, art. 31, §7.*) (*Ord. 57-1006.*)

**SUBTITLE 3**  
**GENERAL PROHIBITIONS**

**§ 3-1. Defacing, etc., imitating, traffic devices.**

It shall be unlawful for any person, without lawful authority, to wilfully deface, injure, imitate, move, or interfere with any signs, standards, post, safety zone, semaphore, tower, automatic signal, or any other traffic device, or any part thereof, or with any directing lines or marks painted in the roadway, or upon any curb or pavement, erected by the authority of said Director of Public Works, or any directions, lines, or marks painted by the authority of said Director of Public Works on any pavement, curb, or roadway for the purpose of directing traffic or parking vehicles.

*(City Code, 1950, art. 38, §7(a); 1966, art. 31, §5(a); 1976/83, art. 31, §5(a).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord.75-920.)*

**§ 3-2. Noncompliance with traffic devices.**

It shall be unlawful for any person to fail, neglect, or refuse to comply with any instruction or direction on any post, standard, sign, or with any directing lines or marks painted in the roadway, or upon any curb or pavement, or other device erected by the authority of said Director of Public Works for the regulation of traffic or parking on public highways.

*(City Code, 1950, art. 38, §7(b); 1966, art. 31, §5(b); 1976/83, art. 31, §5(b).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord.75-920.)*

**§ 3-3. Violating rules.**

It shall be unlawful for any person to violate any rule, regulation, order, or direction promulgated by said Director of Public Works, as hereinbefore provided.

*(City Code, 1950, art. 38, §7(c); 1966, art. 31, §5(c); 1976/83, art. 31, §5(c).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord.75-920.)*

**§ 3-4. {Reserved}**

**§ 3-5. Penalties.**

Any person violating any of the provisions of this subtitle shall be guilty of a misdemeanor and, upon conviction thereof in any court of competent jurisdiction, shall be fined for each and every offense not more than \$100.

*(City Code, 1950, art. 38, §7(d); 1966, art. 31, §5(d); 1976/83, art. 31, §5(d).) (Ord. 51-1678; Ord. 53-786; Ord. 57-1006; Ord.75-920.)*

**SUBTITLES 4 TO 5**  
***{RESERVED}***



**SUBTITLE 6**  
**PARKING, STANDING, AND STOPPING REGULATIONS**

***PART 1. METHOD OF PARKING***

**§ 6-1. In general.**

(a) *2-way streets.*

In all cases where any vehicle is stopped or parked upon a 2-way roadway, the right-hand wheels of said vehicle shall be parallel to and within 12 inches of the right-hand curb or edge of the roadway.

(b) *1-way streets.*

In all cases where any vehicle is stopped or parked upon a 1-way roadway:

- (1) the right hand wheels of said vehicle shall be within 12 inches of the right-hand curb or edge of the roadway; or
- (2) the left-hand wheels shall be within 12 inches of the left-hand curb or edge of the roadway.

(c) *Angle-parking.*

Where it has been determined that a roadway is of sufficient width to permit angle-parking without interfering with free movement of traffic, the Director of Public Works may permit angle-parking by the erection of signs so stating.

(d) *Distance from other vehicles.*

No vehicle shall be stopped or parked on any roadway in such manner that its front or rear is less than 4 feet distant from the front or rear of any other vehicle.

(City Code, 1927, art. 4, §81; 1950, art. 38, §64; 1966, art. 31, §76; 1976/83, art. 31, §55.) (Ord. 26-823; Ord. 37-524; Ord. 74-765.)

**§ 6-2. Motorcycles and motor bikes.**

Notwithstanding the provisions of § 6-1 of this subtitle, in all cases where motor-driven 2- or 3-wheel vehicles known generally as motorcycles or motor bikes shall stand upon the streets of the City:

- (1) they shall be so placed that either their front or rear wheels or both front and rear wheels are next to the curb and not more than 12 inches therefrom; and
- (2) said motor-driven 2- or 3-wheel vehicles known generally as motorcycles or motor bikes shall not protrude into the roadway for a distance of more than 5 feet.

(City Code, 1976/83, art. 31, §56.) (Ord. 68-182; Ord. 75-920.)

**§ 6-3. Obstructing free passage.**

No vehicle shall be so parked or otherwise stopped as to prevent the free passage of other vehicles or street cars in both directions at the same time.

(*City Code, 1927, art. 4, §83; 1950, art. 38, §66; 1966, art. 31, §78; 1976/83, art. 31, §58.*) (*Ord. 26-823.*)

**§§ 6-4 to 6-5. {Reserved}*****PART 2. PLACES PROHIBITED*****§ 6-6. Fire hydrants, lanes, houses.****(a) *Fire hydrants.***

No vehicle shall stand within 15 feet of any fire plug or fire hydrant in any part of the City unless in actual charge of a person capable of running or operating the same.

**(b) *Fire lanes.*****(1) *Prohibited stopping.***

No vehicle shall stop within any designated fire lane on private property open to the use of the general public.

**(2) *Designation and posting.***

(i) The Fire Chief shall designate the lanes to be utilized as fire lanes.

(ii) The owner of the property shall post such lanes in a manner approved by the Director of Public Works.

**(c) *Engine houses.***

No vehicle shall stop in front of or opposite to any fire engine house in spaces designated by the Director of Public Works.

(*City Code, 1927, art. 4, §§77, 78; 1950, art. 38, §§41, 42; 1966, art. 31, §§55, 56; 1976/83, art. 31, §§42, 43, 43A.*) (*Ord. 26-823; Ord. 75-920; Ord. 77-306.*)

**§ 6-7. Limited-access highways.**

No vehicle shall be permitted to stop at any limited-access highway within the confines of Baltimore City.

(*City Code, 1976/83, art. 31, §53A.*) (*Ord. 78-884.*)

**§ 6-8. Entrances to parking lots or garages.**

No vehicle shall be permitted to stand, at any time, on a street adjacent to the entrance to a public parking lot or garage, for a distance of 8 feet from each side of said entrance.  
(*City Code, 1950, art. 38, §77; 1966, art. 31, §91; 1976/83, art. 31, §67.*) (*Ord. 47-904.*)

**§ 6-9. Space reserved for disabled persons.**

(a) *Sign required.*

Each space restricted to the use of disabled persons must be marked by a sign that complies with this section.

(b) *Parking and stopping restricted.*

A vehicle without special registration plates for disabled persons or not displaying a disabled person's parking permit issued by the Motor Vehicle Administration may not be stopped in a space or zone marked as restricted to the use of disabled persons, on private or City-owned property open to the use of the general public.

(c) *Sign specifications.*

(1) Provided that the space or zone is marked by a sign which meets the following specifications set by the Director of Public Works:

(i) Sign size 18"x 24".

(ii) Wheelchair symbol, white on blue background.

(iii) Sign to read:

Parking for (Wheelchair Symbol) vehicles displaying  
handicapped tags or Motor Vehicle Administration permit.  
Other cars towed away and owner subject to fine.

(iv) Red letters on white background and red border.

(2) Signs shall be approved by the Director of Public Works.

(d) *Notice of posting.*

After erection of a handicapped parking sign, the owner of the property shall notify the Director of Public Works that a sign has been posted in accordance with this section.  
(*City Code, 1976/83, art. 31, §67A.*) (*Ord. 78-856; Ord. 79-1104; Ord. 97-163.*)

**§ 6-10. Space reserved for small cars.****(a) *Maximum size.***

No vehicle larger than 5' 6" wide and 15' 6" long shall be permitted to be stopped or parked in any place marked as a parking space for small cars only.

**(b) *Maximum extension.***

A vehicle occupying such a parking space shall not extend beyond the painted parking stall markings.

(City Code, 1976/83, art. 31, §67B.) (Ord. 84-150.)

**§ 6-11. Private property.****(a) *Prohibited without permission.***

A person may not stop or stand a vehicle on any private property not owned by the owner or driver of the vehicle, unless the person has express or implied permission from the property owner, his tenant, or his agent to stop or stand the vehicle, as the case may be.

**(b) *Enforcement.***

In Baltimore City, upon request of the owner, his agent, or his tenant, a police officer may issue a citation for a violation of the provisions of this section.

(City Code, 1976/83, art. 31, §146A.) (Ord. 83-1043.)

**§ 6-12. Private driveways.****(a) *Stopping prohibited.***

No vehicle may stop in or in front of any private driveway, without consent of the owner of the premises, in such manner as to obstruct or interfere with vehicles entering or leaving the premises.

**(b) *Marking or signing area.***

The Director of Public Works, upon request of the owner or occupant of said premises:

- (1) shall determine the distance from the driveway in question, not to exceed a distance of 10 feet, in which parking shall be prohibited in order to prevent obstruction or interference with vehicles entering and leaving the premises or in order to expedite the free movement of traffic; and

- (2) either:

- (i) may authorize the owner or occupant of the premises to paint the curbs adjacent to the driveway for the distance determined in such manner and with such type paint as shall be specified by the Director of Public Works; or
- (ii) if the owner of the premises so requests in writing and does also agree in writing to waive his right to consent to the obstruction of said driveway, may place signs which shall prohibit stopping during such hours as the Director shall find necessary.

(c) *Posting for impounding.*

- (1) Upon the written request of the owner or occupant and provided that the owner or occupant pays the complete cost of inspection, fabrication, and erection:
  - (i) the Director of Public Works shall determine on a case-by-case basis, in the case of nonresidential property, the times when stopping is prohibited; and
  - (ii) shall erect signs on either side of the entrance to a private way, driveway, or service drive.
- (2) Signs posted for residential property shall read “No Stopping Any Time — Cars Towed Away”.
- (3) Signs posted for nonresidential property shall read "No stopping from \_\_\_\_\_ to \_\_\_\_\_ . Cars Towed Away”, or “No Stopping Any Time — Cars Towed Away”, as determined by the Department of Public Works.
- (4) All such signs shall be and remain the property of the City of Baltimore.

(d) *Implementation not a dedication.*

Nothing in this section is intended nor shall it be construed as an acceptance of dedication by the City of any private driveway, lane, alley, or street as public property.  
 (City Code, 1950, art. 38, §29; 1966, art. 31, §41; 1976/83, art. 31, §§31, 31A.) (Ord. 50-1386; Ord. 51-1691; Ord. 62-1345; Ord. 65-464; Ord. 81-425; Ord. 95-506.)

**§ 6-13. Public buildings.**

(a) *In general.*

No vehicles shall be permitted to stand longer than actually necessary to take on or discharge passengers, baggage, freight, or merchandise:

- (1) in front of the entrance to any church, theater, public dance or entertainment hall, or driveway (public or private);
- (2) within 25 feet to any entrance to any hospital; or

- (3) in front of any theater or place of amusement or in front of any exits or fire escapes from a theater or place of amusement, where performances or amusements are being held, or where persons in large numbers are assembled.

(b) *Shipping entrances.*

Nor shall any vehicle be permitted to stand longer than actually necessary to take on or discharge passengers, baggage, merchandise, or freight in front of any shipping or receiving entrance to business houses and other places where “No Parking” spaces have been established by the Director of Public Works, and designated by proper signs or markings.

(c) *Municipal property.*

Nor shall any vehicle, not belonging to the Police Department, Fire Department, or other municipal departments be permitted to stand longer than actually necessary to take on or discharge passengers, baggage, merchandise, or freight in any space reserved by appropriate signs or markings, provided by the Director of Public Works, in front of any public building or other places for the parking of vehicles belonging to the said department.

(City Code, 1927, art. 4, §79; 1950, art. 38, §79; 1966, art. 31, §95; 1976/83, art. 31, §71.) (Ord. 26-823.)

**§ 6-14. Street cleaning routes.**

(a) *Posting signs.*

The Director of Public Works shall, at the request of the Director of Public Works, post “Street Cleaning” signs on certain streets, lanes, or alleys throughout the City.

(b) *Parking prohibited during specified hours.*

Whenever such signs are posted, no vehicle shall be permitted to park during the hours designated on such signs.

(c) *Enforcement.*

Any vehicle parked in violation of the aforesaid signs:

- (1) shall be subject to the impounding provisions set forth in § 31-7 of this article; but

- (2) shall be subject to the fine generally applicable to violations of this article.

(City Code, 1950, art. 38, §89; 1966, art. 31, §107; 1976/83, art. 31, §79.) (Ord. 37-523; Ord. 68-131; Ord. 73-457.)

**§ 6-15. Snow emergency routes.**

(a) *Parking prohibited during snow emergency.*

Whenever the Director of Public Works has declared that an emergency exists due to the covering or partial covering of any of the streets in Baltimore City by snow, sleet, or freezing

rain, no vehicle shall be permitted to park on any of the streets of the City of Baltimore which the Director of Public Works has designated as “snow emergency routes”.

(b) *Removal of vehicles.*

The Police Commissioner of Baltimore City is authorized and empowered to take possession of and to remove any parked vehicle or vehicle abandoned so as to obstruct traffic on any of those streets in the City of Baltimore which have been designated as “snow emergency routes” during such times as the Director of Public Works has declared that an emergency exists.

(c) *Assessment of costs.*

To defray the cost of removing or towing any such vehicle, the Police Commissioner is hereby authorized to charge and collect:

- (1) the sum of \$5 for each vehicle so removed, to cover the cost of removal and storage for a period, not exceeding 48 hours; with
- (2) an additional charge of \$1 for each day or fraction thereof which said vehicle is stored in excess of the first 48 hours said vehicle is impounded,

these charges to be in addition to any fine or other penalty imposed for the violation of any traffic ordinance.

(City Code, 1966, art. 31, §102; 1976/83, art. 31, §76.) (Ord. 58-1234; Ord. 58-1364; Ord. 61-1060; Ord. 99-526.)

**§ 6-16. Passenger and freight curb loading zones.**

(a) *Location; signs.*

The Director of Public Works:

- (1) is hereby authorized to determine the location of passenger and freight curb loading zones; and
- (2) shall place and maintain appropriate signs:
  - (i) indicating the location of such zones and
  - (ii) stating the hours during which the following provisions of this section are applicable.

(b) *Freight zones.*

- (1) No person shall be permitted to park a vehicle in any place marked as a freight curb loading zone during hours when the provisions applicable to such a zone are in effect.
- (2) No vehicle shall be permitted to stop in a freight curb loading zone unless actually in the process of expeditiously loading or unloading materials.

- (3) Nothing in this section shall prohibit a passenger vehicle from stopping temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or unloading passengers, when such stopping does not interfere with any motor vehicle used for transportation of materials which is waiting to enter or about to enter such zone.

(c) *Passenger zones.*

No person shall stop a vehicle in the zone for any purpose or period of time other than for the expeditious loading or unloading of passengers at any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zones are effective, and then only for a period not to exceed 10 minutes.

(*City Code, 1927, art. 4, §84; 1950, art. 38, §68; 1966, art. 31, §93; 1976/83, art. 31, §68.*) (Ord. 26-823; Ord. 54-1179; Ord. 56-461; Ord. 76-006.)

**§ 6-17. {Reserved}**

***PART 3. WASTE DISPOSAL***

**§ 6-18. Stopping, etc., for unlawful dumping.**

A person may not park, stop, or stand any vehicle on any street, highway, or alley of Baltimore City for the purpose of disposing waste or other material in violation of the Health Code of Baltimore City.

(*City Code, 1976/83, art. 31, §151A.*) (Ord. 92-122; Ord. 99-548.)

**§ 6-19. Stopping, etc., without solid waste license displayed.**

A person may not park, stop, or stand any vehicle being used by a small hauler, as defined in Title 7 {"Waste Control"}, Subtitle 2 {"Solid Waste Collection"} of the Health Code, on any street, highway, or alley of Baltimore City unless its small hauler's license is displayed as required by that subtitle.

(*City Code, 1976/83, art. 31, §151B.*) (Ord. 92-123; Ord. 99-548.)

**§ 6-20. {Reserved}**

***PART 4. CONTINUAL OR CONTINUOUS PARKING***

**§ 6-21. Continually depriving occupant of parking spot.**

No specific vehicles shall be habitually parked in front of a building to the detriment of its use by the owner or occupant of such building.

(*City Code, 1927, art. 4, §82; 1950, art. 38, §65; 1966, art. 31, §77; 1976/83, art. 31, §57.*) (Ord. 26-823.)



**§ 6-22. Continuously parking in 1 spot.****(a) *Prohibited conduct.***

No vehicle shall be permitted to stand more than 48 hours continuously in the same location.

**(b) *Exceptions.***

(1) Provided, however, that nothing herein contained shall be applicable to:

- (i) vehicles of the Police Department or the Fire Department;
- (ii) any emergency vehicle belonging to the City or to any public utility;
- (iii) vehicles belonging to physicians or undertakers; or
- (iv) vehicles with disabled person registration plates.

(2) And provided further that nothing herein contained shall be construed to modify in any way the restrictions or provisions of any ordinance or regulation as to parking of vehicles on any boulevard or through street, but such restrictions and provisions shall continue in effect as if this section had not been passed.

*(City Code, 1950, art. 38, §67; 1966, art. 31, §80; 1976/83, art. 31, §60.) (Ord. 26-823; Ord. 32-279; Ord. 48-326; Ord. 75-920; Ord. 86-808; Ord. 88-136; Ord. 89-262; Ord. 93-191.)*

**§§ 6-23 to 6-25. {Reserved}*****PART 5. COMMERCIAL VEHICLES AND TRAILERS*****§ 6-26. Commercial vehicles.****(a) “Commercial vehicle” limited.**

In this section, “commercial vehicle” does not include a vehicle that:

- (1) has a maximum gross vehicle weight of less than 7,000 pounds or a manufacturer’s rated capacity of  $\frac{3}{4}$  -ton;
- (2) has no commercial advertising on the exterior of the body or on any attached equipment compartments, or apparatus;
- (3) is not visibly loaded with supplies or equipment; and
- (4) is designed to carry 10 or fewer passengers.

(b) *Stopping by residence.*

- (1) Except as otherwise specified in this section, no vehicle that exceeds 20,000 pounds gross vehicle weight and no commercial vehicle may park, stand, or stop longer than 1 hour continuously on any street, lane, or alley in front of or adjacent to any property used or intended to be used as a residence.
- (2) This subsection does not apply to a commercial vehicle that is parked for the purpose of doing any public or private work for or on behalf of any person located within a radius of 1 block from the property used or intended to be used as a residence.

(c) *Nighttime hours.*

Except as otherwise specified in this section, no vehicle that exceeds 20,000 pounds gross vehicle weight and no commercial vehicle may park, stand, or stop longer than 1 hour continuously between the hours of 1 a.m. and 7 a.m. on any street, lane, or alley of the City.

(d) *Exceptions.*

This section does not apply to:

(1) vehicles of the Police Department or the Fire Department; or

(2) emergency vehicles belonging to the City or to any public utility.

(City Code, 1950, art. 38, §90; 1966, art. 31, §124; 1976/83, art. 31, §83.) (Ord. 48-232; Ord. 48-378; Ord. 88-136; Ord. 03-591.)

**§ 6-27. Commercial trailers.**

(a) *“Commercial trailer” defined.*

In this section, “commercial trailer” means a vehicle that:

- (1) is a trailer;
- (2) has no motive power;
- (3) is designed to be towed by a motor vehicle; and
- (4) is designed for the transportation of property.

(b) *Prohibited conduct.*

Except as otherwise specified in this section, a person may not park, stand, or stop a detached commercial trailer on any public street or highway in the City, except when the vehicle is being expeditiously loaded or unloaded.

(c) *Exceptions.*

This section does not apply to:

- (1) authorized emergency vehicles;
- (2) vehicles owned or operated by the City; or
- (3) vehicles owned or operated by a public service company, as defined in State Public Utility Companies Article, § 1-101 of the Maryland Code, while engaged in construction or repair services associated with supplying necessary service to its customers.

(City Code, 1976/83, art. 31, §84A.) (Ord. 79-986; Ord. 03-591; Ord. 04-672.)

**§§ 6-28 to 6-30. {Reserved}**

***PART 6. CENTRAL BUSINESS DISTRICT***

**§ 6-31. District established; boundaries.**

A district is hereby established, to be designated and known as the “Central Business District”, and this district shall embrace that portion of the City lying within and bounded by the following named streets, the boundary streets to be included — that is to say:

Beginning at the northwest corner of Centre Street and the Fallsway; north side of Centre Street to west side of Howard Street; west side of Howard Street to north side of Druid Hill Avenue; north side of Druid Hill Avenue to west side of Eutaw Street; west side of Eutaw Street to north side of Franklin Street; north side of Franklin Street to west side of Greene Street; west side of Greene Street to south side of Pratt Street; south side of Pratt Street to east side of West Falls Avenue; east side of West Falls Avenue to east side of the Fallsway; east side of the Fallsway to a point opposite the north side of Centre Street, thence to the place of beginning.

(City Code, 1927, art. 4, §62; 1950, art. 38, §22; 1966, art. 31, §33; 1976/83, art. 31, §22.) (Ord. 823, 1926-27; Ord. 668, 1941-42.)

**§ 6-32. Advertising vehicles.**

No vehicle designed or employed for the express purpose of advertising any exhibition, performance, article, or thing shall be permitted to park on any of the streets, lanes, or alleys included in the territory herein designated and described as the Central Business District.

(City Code, 1927, art. 4, §71; 1950, art. 38, §23; 1966, art. 31, §34; 1976/83, art. 31, §23.) (Ord. 26-823.)

**§ 6-33. Vehicles in narrow streets, alleys.**

(a) *Standing prohibited.*

Within the territory described in the Central Business District, no vehicle shall be permitted to stand in any streets or alleys, or portions of streets or alleys (between curb lines) of 20 feet in width, or less.

(b) *Conditioned on signage.*

Provided, however, that this section shall not be enforced or applied unless and until appropriate signs are posted in conformance with the provisions of this section.

(c) *Exception.*

Provided that this section shall not apply to vehicles using such streets or alleys for the purpose of loading or unloading baggage, merchandise, or freight.

(*City Code, 1927, art. 4, §73; 1950, art. 38, §24; 1966, art. 31, §35; 1976/83, art. 31, §24.*) (*Ord. 26-823; Ord. 52-385.*)

**§§ 6-34 to 6-35. {Reserved}*****PART 7. DESIGNATED MUNICIPAL PROPERTY*****§ 6-36. Stopping prohibited.**

No motor vehicle shall stop or be permitted to stop, at any time, on any of the areas which, from time to time, are specified in this subtitle, unless such vehicle shall have conspicuously displayed thereon a permit, issued by the head, chairman, or president, as the case may be, of the municipal agency having jurisdiction over the particular area, and approved by the Director of Public Works, authorizing such motor vehicle to stop on the particular area.

(*City Code, 1966, art. 31, §260; 1976/83, art. 31, §147.*) (*Ord. 60-427.*)

**§ 6-37. Areas where applicable.**(a) *In general.*

The areas to which this Part applies shall be as provided from time to time hereinbelow in this section.

(b) *By Druid Health District Building.*

The 2 areas adjoining or in close proximity to the Druid Health District Building, located on the southwest corner of North Avenue and Cumberland Street, and described as follows:

Beginning for the first area at the corner formed by the intersection of the northwest side of Cumberland Street, 66 feet wide and the northeast side of Pennsylvania Avenue, 66 feet wide and running thence binding on the northeast side of said Pennsylvania Avenue North 42°-139'-00" West 139.0 feet; thence North 86°-50'-20" East 77.0 feet to intersect the line of the northeast side of the bituminous concrete bumpers, there situate; thence binding on the line of the northeast side of said bituminous concrete bumpers and producing the same course, in all, South 42°-26'-40" East 81.0 feet to intersect a line drawn parallel with and distant 9.0 feet northwesterly, measured at right angles from the northwest side of said Cumberland Street; thence binding on said line so drawn South 47°-33'-20" West 16.0 feet; thence South 42°-26'-40" East 9.0 feet to intersect the northwest side of said Cumberland Street and thence binding on the northwest side of said Cumberland Street South 47°-33'-20" West 42.0 feet to the place of beginning.

Beginning for the second area at a point on the west side of Cumberland Street, as now laid out at the distance of South 03°-09'-40" East about 6.50 feet from the southwest corner of Cumberland Street and North Avenue, 100 feet wide, said point being formed by the intersection of the west side of said Cumberland Street and the line of the north side of the bituminous concrete bumpers, there situate, produced easterly and running thence binding on the west and northwest sides of said Cumberland Street the two following courses and distances, namely, South 03°-09'-40" East 16.40 feet and South 47°-33'-20" West 60.0 feet to intersect a line drawn parallel with and distant 4.11 feet easterly, measured at right angles from the east face of the east wall of the Druid Health District Building, there situate; thence binding on said line so drawn North 03°-09'-40" West 54.5 feet to intersect the line of the north side of the aforesaid bituminous concrete bumpers and thence binding on the line of the north side of said bituminous concrete bumpers and parallel with said North Avenue North 86°-50'-20" East 46.0 feet to the place of beginning.

(c) *By Western Health District Building.*

The areas adjoining or in close proximity to the Western Health District Building, located on the northwest corner of Lombard and Penn Streets, and described as follows:

Beginning for the first area at a point on the north side of Lombard Street, 66 feet wide, at the distance of 79.56 feet westerly from the northwest corner of Lombard and Penn Streets and running thence binding on the north side of said Lombard Street South 87°-10'-20" West 20.67 feet to intersect a line drawn parallel with and distant 100.17 feet westerly, measured at right angles from the west side of Penn Street, 55 feet wide thence binding on said line so drawn North 02°-49'-40" West 108.96 feet, to intersect a line drawn parallel with and distant 108.96 feet northerly, measured at right angles from the north side of said Lombard Street; thence reversing said line so drawn and binding thereon North 87°-10'-20" East 42.17 feet, to intersect a line drawn parallel with and distant 42.17 feet easterly, measured at right angles from the second line of this description; thence reversing said line so drawn and binding thereon South 02°-49'-40" East 59.63 feet, to intersect a line drawn parallel with and distant 49.33 feet northerly from the north side of said Lombard Street, thence binding on said line so drawn South 87°-10'-20" West 21.50 feet to intersect a line drawn parallel with and distant 20.67 feet easterly, measured at right angles from the second line of this description and thence reversing said line so drawn and binding thereon South 02°-49'-40" East 49.33 feet to the place of beginning.

Beginning for the second area at a point on the east face of the westernmost wall of the Western Health District Building, known as No. 700 West Lombard Street, said point being distant North 02°-49'-40" West 111.05 feet from the north side of Lombard Street, 66 feet wide, and South 87°-10'-20" West 99.20 feet from the west side of Penn Street, 55 feet wide and running thence binding on the east face of the westernmost wall of said building and parallel with said Penn Street North 20°-49'-40" West 42.05 feet; to intersect the south face of the northernmost wall of said building; thence binding on the south face of the north wall of said building and parallel with said Lombard Street North 87°-10'-20" East 79.6 feet to intersect a line drawn parallel with and distant 19.60 feet, westerly, measured at right angles from the west side of said Penn Street; thence reversing said line so drawn and binding thereon South 02°-49'-40" East 43.60 feet to intersect a line drawn parallel with and distant 109.50 feet northerly from the north side of said Lombard Street, thence binding on said line so drawn North 87°-10'-20" East 18.46 feet to intersect the west face of the easternmost wall of said building; thence binding on the west face of the easternmost wall of said building South 02°-49'-40" East 64.49 feet to intersect a line drawn parallel with and distant 45.01 feet northerly, measured at right angles from the north side of said Lombard Street; thence reversing said line so drawn and binding thereon South 87°-10'-20" West 55.75 feet to intersect a line drawn parallel with and distant 57.06 feet westerly, measured at right angles from the west side of said Penn Street; thence binding on said line so drawn North 02°-49'-40" West 65.75 feet to intersect a line drawn parallel with and distant 111.05 feet

northerly measured at right angles from said Lombard Street and thence reversing said line so drawn and binding thereon South 87°-10'-20" West 42.14 feet to the place of beginning.

(d) *By Municipal Art Museum.*

Those parking areas and driveways in close proximity to the Municipal Art Museum located within the following boundaries:

Beginning at a point located 20 feet west of the westerly service drive median in Charles Street and 8 feet north of a point in line with the end of said median at the northerly entry into Art Museum Drive from Charles Street thence extending S. 89°-28'-29" W. a distance of 479.8 feet, thence extending S. 45°-30'-46" W. a distance of 424.88 feet, thence S. 14°-43'-12" a distance of 375 feet, thence in a northeasterly direction following the northerly building line of Art Museum Drive to the point of departure.

(City Code, 1966, art. 31, §261; 1976/83, art. 31, §148.) (Ord. 60-427; Ord.72-086.)

**§ 6-38. Warning notices.**

(a) *Notice to be posted.*

Notice of the possible removal of motor vehicles stopping on any 1 of the areas hereinbefore mentioned or described in violation of any provision of this subtitle shall be posted on signs prominently located on the particular area, and shall read as follows:

“CARS TOWED AWAY”

(b) *Translation.*

The phrase “cars towed away”, for the purpose of this subtitle, shall mean the removal of a motor vehicle by the Baltimore City Police Department.

(City Code, 1966, art. 31, §263; 1976/83, art. 31, §150.) (Ord. 60-427.)

**§ 6-39. Penalties.**

(a) *In general.*

Any motor vehicle stopping on, and any person causing any motor vehicle to stop on, any of the areas hereinbefore mentioned or described, in violation of the provisions of this subtitle shall be subject to the provisions of, and the fines and penalties imposed by Subtitle 31 of this article.

(b) *Evening hours.*

Any person causing any motor vehicle to stop on any of the areas hereinbefore mentioned or described, in violation of the provisions of this subtitle, between the hours of 6 p.m. of any particular day and 7 a.m. of the following day, or at any other time when the services and facilities operated by the Police Commissioner for the City of Baltimore in connection with the removal and impounding of motor vehicles found in violation of law are not available for the

enforcement of the provisions of this subtitle, shall be fined not less than \$15 nor more than \$25 for each and every day, or any part thereof, that any such violation continues.

(c) *Alternative provisions.*

Any person causing any motor vehicle to stop on any of the areas hereinbefore mentioned or described, in violation of any provision of this subtitle shall be subject to either the provisions of subsection (a) or subsection (b) of this section, but not both, in connection with any such violation.

(*City Code, 1966, art. 31, §262; 1976/83, art. 31, §149.*) (*Ord. 60-427.*)

**SUBTITLE 7**  
**METERED PARKING**

***PART 1. ADMINISTRATION***

**§ 7-1. Authorizations.**

(a) *Installation of meters.*

The purchase, leasing, installation, and operation of certain parking devices, known generally as parking meters, are hereby authorized and required on the streets, thoroughfares, and public places of Baltimore City, which from time to time may be specified in this subtitle.

(b) *Parking spaces.*

Parking spaces are hereby authorized and established on all such streets, thoroughfares and public places, subject generally to the powers, authorizations and conditions contained in this subtitle.

(c) *Exceptions.*

Parking meters shall not be installed on either side of Madison Street between Charles Street and Howard Street.

(City Code, 1966, art. 31, §185; 1976/83, art. 31, §§129, 132A.) (Ord. 55-1346; Ord. 94-289.)

**§ 7-2. Contracts.**

(a) *Authorized.*

(1) The Board of Estimates of Baltimore City is hereby authorized and empowered to enter into a contract or contracts for the leasing and/or purchasing and installation of parking meters for the specified streets, thoroughfares and public places of Baltimore City in accordance with the procedures outlined in the City Charter.

(2) The Board of Estimates is also authorized and empowered to enter into a contract or contracts for the purchase of parts and equipment for the maintenance and operation of the parking meters, as the Board from time to time shall determine may be for the best interests of the City.

(b) *Payments from revenues.*

(1) Any contract or contracts made under the provisions of this section shall provide for the payment of the cost of such parking meters and the initial cost of the parts and equipment, and for the installation and maintenance thereof, solely from the receipts obtained by the City of Baltimore from the operation of parking meters on the streets, thoroughfares, and public places of this City, without in any manner obligating the Mayor and City Council of Baltimore to pay for such parking meters, parts, or equipment or any portion thereof from any other source or sources of public funds.



- (2) Any such contract or contracts shall contain a provision stipulating the percentage of receipts from the operation of such meters which shall be retained by the City of Baltimore and the percentage which shall be paid to the contractor, vendor, and/or lessor until the total cost of purchasing and installing the parking meters covered by the particular contract shall have been paid.
- (3) Any such contract or contracts shall provide that after the total cost of purchasing and installing the particular set of parking meters shall have been paid, thereafter all the receipts shall be retained by the City of Baltimore as provided in this subtitle.

(c) *Right to terminate.*

- (1) Any such contract or contracts shall contain a provision stipulating that the Board of Estimates, on the recommendation of the Director of Public Works, may, at its discretion, terminate the contract or contracts without any right of recovery against the City for damages against the City if, in the opinion of the Board of Estimates, there is no longer a need for the continued use of the parking meters purchased or leased under the said contract or contracts.
- (2) In the event that the Board of Estimates of Baltimore City terminates any contract or contracts:
  - (i) it shall be the sole responsibility of the vendor and/or lessor of the parking meters to remove the said meters, the standard, and/or the supporting posts at its own expense and without any expense to the City of Baltimore; and
  - (ii) it shall be the further duty of the vendor and/or lessor to remove the base, if any, and to return the area in which the post, support, or base was installed to its original condition prior to said installation.

(City Code, 1966, art. 31, §186; 1976/83, art. 31, §130.) (Ord. 55-1346.)

**§ 7-3. Types of meters.**

(a) *Director to install.*

The Director of Public Works is hereby authorized and directed to install, to direct the installation, or order the installation of parking meters on the portions of the streets, thoroughfares, and public places of the City of Baltimore which from time to time may be specified in this subtitle.

(b) *Time variations.*

- (1) In his discretion from time to time and as he may deem best suited for the traffic needs of the particular portion of the streets, thoroughfares, and public places of this City, the parking meters may be of a 15-minute, 30-minute, 1-hour, 1½- hour, or 2-hour type in the general parking areas of the City.

(2) In Sam Smith Park and other special parking areas, the parking meters may be of a 1-hour or 10-hour type for ordinary parking (noncommercial), and of a 2-hour or 20-hour type for truck parking (commercial).

(3) The Director of Public Works also is authorized to install parking meters with other variations of time, at rates comparable to those specified in this subtitle for the same type of parking area.

(*City Code, 1966, art. 31, §187; 1976/83, art. 31, §131.*) (*Ord. 55-1346; Ord. 57-1108; Ord. 68-249; Ord. 69-416.*)

#### **§ 7-4. Methods of installation.**

(a) *For parallel parking.*

(1) Parking meters for parallel parking shall be installed from time to time by the Department of Public Works under the direction of the Director of Public Works in such manner as to divide the street and sub area into units or stalls of approximately 21 feet in length.

(2) The meters shall be installed in such manner as to be at the forward end of such curb parking space.

(b) *Other.*

Parking meters for other than parallel parking shall be installed in a manner as, in the discretion of the Director, is best suited for designating the parking spaces in the particular area.

(*City Code, 1966, art. 31, §188; 1976/83, art. 31, §132.*) (*Ord. 55-1346.*)

#### **§ 7-5. Operation of meter.**

(a) *Signal.*

Each parking meter shall be so installed or set as to display, upon the deposit of the proper United States coin or coins alone or upon the deposit of the proper United States coin or coins and the manual operation of a lever to properly register the coin or coins for the period designated as being proper for parking at that place, a signal indicating legal parking for the said period of time.

(b) *Expiration.*

Each parking meter shall also be equipped with a device which shall continue operation from the time of the depositing of the said coin or coins alone or from the time of the depositing of the said coin or coins and the manual operation of a lever to properly register the said coin or coins until the expiration of the designated legal parking period, when it will indicate by a proper mechanical operation and the dropping or showing of a proper signal, that the lawful period for parking, as prescribed, has expired.

(*City Code, 1966, art. 31, §189; 1976/83, art. 31, §133.*) (*Ord. 55-1346.*)

**§ 7-6. Display of operational hours and rates**

Each parking meter mechanism shall contain in a conspicuous place, a plate or other device which:

(1) will clearly state the hours during which that meter shall be legally in operation and any exceptions thereto; and

(2) shall also clearly indicate:

(i) the type of coin or coins which must be inserted therein for the legal parking of a vehicle; and

(ii) the period of time during which it shall be legally permissible to park in that meter area upon the payment of the prescribed coin or coins.

(City Code, 1966, art. 31, §190; 1976/83, art. 31, §134.) (Ord. 55-1346.)

**§ 7-7. Supporting-post colorings.**

(a) *Color-parking length coordination.*

(1) The Director of Public Works shall have the standards or supporting posts of the parking meters painted in such manner as clearly and uniformly to indicate the length of time during which a driver may legally park his vehicle in that place, upon the payment of the prescribed coin or coins.

(2) The Director shall, in his discretion, designate colors to be painted upon the standards or supporting posts of the parking meters, each color to indicate the legal parking period at the particular parking space.

(b) *Limited hours.*

(1) On any street, thoroughfare, or public place where legal parking with parking meters is permitted only during specific periods of the day and not for a full 10-hour period, the meter standards or supporting posts shall be appropriately painted to so indicate.

(2) In such event, an appropriate sign shall be attached to each meter standard or post indicating the hours during which parking in that area is not legal.

(City Code, 1966, art. 31, §191; 1976/83, art. 31, §135.) (Ord. 55-1346.)

**§ 7-8. Setting rates.**

Notwithstanding any other provision of this article:

(1) the Director of Public Works may set the rates for the operation of meters on all parking meter lots temporarily or permanently under the control of the City; and

- (2) with the approval of the Board of Estimates, the Director may set the rates for all other parking meters in the City.

(City Code, 1966, art. 31, §192; 1976/83, art. 31, §136.) (Ord. 55-1346; .... Ord. 81-388; Ord. 99-526.)

#### **§ 7-9. Rearrangements.**

(a) *No binding commitment.*

- (1) The installation of parking meters in any particular part of the streets, thoroughfares, and public places of this City and/or the maintenance and operation of such parking meters shall not be construed or applied as a binding commitment upon the City of Baltimore and/or the Department of Public Works to continue the use of parking meters at any part of those streets, thoroughfares, or public places of this City, should traffic conditions or adjacent installations in the judgment of the Director of Public Works justify their removal.
- (2) Nothing in this subtitle shall be construed or applied to affect the power of the Mayor and City Council of Baltimore from time to time to add or take away from those streets, thoroughfares, or public places specified in this subtitle for the installation, maintenance, and operation of parking meters, and the Director of Public Works and the Department of Public Works shall be required from time to time to maintain and operate parking meters only on those portions of the streets, thoroughfares, and public places which shall then be specified in this subtitle.

(b) *Authorization to change.*

The Director of Public Works is authorized and empowered, and is given a continuing direction within the limits of this subtitle to rearrange or otherwise change parking meters on the streets, thoroughfares, and public places designated from time to time so as best to provide for the traffic needs of the City of Baltimore and for changing conditions and adjacent installations.

(City Code, 1966, art. 31, §193; 1976/83, art. 31, §137.) (Ord. 55-1346.)

#### **§ 7-10. Maintenance.**

(a) *Director responsible.*

The Director of Public Works shall have the duty to keep all parking meters installed under the provisions of this subtitle in a good operating condition, clean and properly painted.

(b) *Meter identification.*

- (1) Each meter shall have clearly marked upon it in a conspicuous place a number to indicate its location.
- (2) This number:
- (i) shall be used for the purpose of identifying the location of the meter zone and the vehicle therein when the vehicle is charged with a violation of parking provisions at that place; and

(ii) will serve as a means of identification which the public or the Police Department may use when reporting defective meters, violations, or other occurrences.  
(*City Code, 1966, art. 31, §194; 1976/83, art. 31, §138.*) (*Ord. 55-1346.*)

**§§ 7-11 to 7-15. {Reserved}**

**PART 2. COMPLIANCE**

**§ 7-16. Lawful parking.**

(a) *In general.*

Parking shall be legal and permissible, upon the insertion of the designated coin or coins, at the locations designated on the streets, thoroughfares, and public places in this City, for the period respectively indicated, as enumerated in the following sections of this subtitle.

(b) *Exception for designated times.*

No vehicle shall be permitted to stand in the space reserved for any parking meter during the time when parking or stopping is prohibited at such location.  
(*City Code, 1966, art. 31, §201(1<sup>st</sup> sen., 2<sup>nd</sup> sen.(2<sup>nd</sup> cl.), 3<sup>rd</sup> sen.); 1976/83, art. 31, §145(1<sup>st</sup> sen., 2<sup>nd</sup> sen.(2<sup>nd</sup> cl.), 3<sup>rd</sup> sen.).*) (*Ord. 55-1346; Ord. 70-905; Ord. 03-550.*)

**§ 7-17. Maximum time for parking.**

(a) *Permitted periods.*

- (1) At any location on the streets, thoroughfares and public places of this City where a parking meter is in active operation, it shall be lawful, upon the payment of the designated coin or coins for that particular location, to park a vehicle for the full period designated as the maximum period for legal parking.
- (2) The vehicle may be parked for the unexpired time, if any, showing on the parking meter from a previous insertion of a coin or coins without the additional payment of any coin or coins for said unexpired term.

(b) *Prohibited period.*

Any vehicle parked in an area adjacent to a parking meter, which is in active operation, for a period of time longer than as specified in this section shall be deemed to be in violation of the parking provisions of this subtitle and subject to the penalties provided herein.  
(*City Code, 1966, art. 31, §195; 1976/83, art. 31, §139.*) (*Ord. 55-1346.*)

**§ 7-18. Parallel parking.**

It shall be illegal for any driver to park a vehicle in an area specified for parallel parking, in a space adjacent to a parking meter in active operation, other than with the front wheel of the vehicle approximately centered upon the standard or post supporting the parking meter.

(*City Code, 1966, art. 31, §196; 1976/83, art. 31, §140.*) (*Ord. 55-1346.*)

**§ 7-19. Temporary stops.**

(a) *Passenger vehicles.*

It shall be lawful for a passenger vehicle to stop in a vacant space adjacent to a parking meter in active operation in order to take on or discharge passengers or passengers' baggage transported on the same vehicle without the payment of a coin or coins, provided that such stopping is restricted to these purposes and is performed expeditiously.

(b) *Commercial vehicles.*

(1) Commercial vehicles which are actually engaged in the expeditious pick-up or delivery of merchandise may stop in such an area at any time up to 10 a.m. without the necessity for inserting a United States coin or coins in the meter.

(2) Any prolonged absence of the driver of such a commercial vehicle from the immediate vicinity of the vehicle shall be deemed to be evidence that the vehicle is not engaged in the expeditious pick-up or delivery of merchandise, and shall constitute a violation of the provisions of this section.

(*City Code, 1966, art. 31, §197; 1976/83, art. 31, §141.*) (*Ord. 55-1346.*)

**§ 7-20. Slugs or meter tampering prohibited.**

(a) *Using slugs.*

It shall be unlawful for any person to deposit or cause to be deposited in a parking meter any slug, device, or substitute for a 1-cent, 5-cent, or other denomination of coin of the United States.

(b) *Tampering with meter.*

(1) It shall also be unlawful for any person to deface, injure, tamper with, steal from, open, or wilfully break into, to destroy, to remove, or to impair the usefulness of any parking meter installed under the provisions of this subtitle.

(2) Except that this subsection shall not apply:

(i) to persons duly designated by the Director of Finance for the purpose of collecting the coins placed in said parking meters; or

(ii) to persons duly authorized by the Director of Public Works for regulating, repairing, or maintaining such meters.

(c) *Penalties.*

Any person violating the provision of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not more than \$500 or to imprisonment for not more than 12 months, or to both such fine and imprisonment in the discretion of the court. (*City Code, 1966, art. 31, §200(b); 1976/83, art. 31, §144(b).*) (*Ord. 55-1346; Ord. 60-347.*)

**§ 7-21. Unlawful parking.**

It is unlawful for any person to permit a vehicle to park or remain in any space adjacent to a parking meter in active operation on one of the streets, thoroughfares, or public places of this City:

(1) beyond the period prescribed in this subtitle during which vehicles may be permitted lawfully to park or remain in any such space;

(2) in any manner except as specified in this subtitle; or

(3) except as otherwise specifically provided in this subtitle, without inserting the proper coin or coins in the parking meter.

(*City Code, 1966, art. 31, §200(a); 1976/83, art. 31, §144(a).*) (*Ord. 55-1346; Ord. 99-526*)

**§ 7-22. Exception for holidays.**

This subtitle does not apply and may not be enforced on:

(1) New Year's Day, January 1;

(2) Independence Day, July 4;

(3) Labor Day, the 1<sup>st</sup> Monday in September;

(4) Thanksgiving Day, the fourth Thursday in November; and

(5) Christmas Day, December 25.

(*City Code, 1966, art. 31, §201(2<sup>nd</sup> sen.(1<sup>st</sup> cl.)); 1976/83, art. 31, §145(2<sup>nd</sup> sen.(1<sup>st</sup> cl.)).*) (*Ord. 70-905; Ord. 02-437.*)

**§§ 7-23 to 7-25. {Reserved}****PART 3. ENFORCEMENT****§ 7-26. In general.**(a) *Police to enforce.*

It shall be the duty of the Police Department of Baltimore City to enforce the parking provisions of this subtitle applicable to vehicles stopped or parked in a space adjacent to a parking meter in active operation.

(b) *Citation.*

Such violation shall be recorded and a notice thereof shall be left upon the vehicle in the usual form and manner applying to traffic violations in this City.  
(*City Code, 1966, art. 31, §198; 1976/83, art. 31, §142.*) (*Ord. 55-1346.*)

**§ 7-27. Levy and collection of fees.**

(a) *Levy.*

The coins required to be deposited in parking meters are hereby levied as fees:

- (1) to provide for the proper regulation and control of traffic upon the public streets, thoroughfares, and in the public places of this City; and
- (2) to cover the cost of the purchase, installation, inspection, maintenance, and control and operation of parking meters, including the cost of collecting coins and the establishment and maintenance of parking spaces.

(b) *Collection and deposit.*

The Director of Finance is hereby authorized and directed:

- (1) to collect or cause to be collected at regular intervals the coins placed in the said parking meters;
- (2) to keep a record of the collections made from said parking meters;
- (3) to deposit all such monies to the credit of a special fund, to be known as the “Mayor and City Council of Baltimore — Baltimore City Parking Meter Fund”; and
- (4) to account for such fund as in the case of taxes or other public monies collected by him.  
(*City Code, 1966, art. 31, §199; 1976/83, art. 31, §143.*) (*Ord. 55-1346.*)



**SUBTITLE 8**  
**EXCEPTIONS TO PARKING REGULATIONS**

**§ 8-1. Sundays and holidays.**

(a) *Director may adopt exceptions.*

- (1) If a provision of this article governing the stopping, standing, or parking of vehicles does not contain an exception for Saturdays, Sundays, or legal holidays, the Director of Public Works may establish an exception to that provision for Saturdays, Sundays, or legal holidays.
- (2) An exception established under this section becomes effective when notice of the exception is posted on the street concerned.

(b) *Holidays.*

Citations for stopping, standing, or parking may not be issued on any city, state, or federal holiday if the traffic control signs in the area state that parking restrictions do not apply on holidays.

(City Code, 1966, art. 31, §58; 1976/83, art. 31, §52.) (Ord. 55-079; Ord. 02-437.)

**§ 8-2. {Reserved}**

**§ 8-3. Funeral directors.**

It shall be lawful for any person, firm, or corporation, engaged in the business of funeral directing and licensed as such by the State Board of Funeral Directors and Embalmers of Maryland to park his, its, or their automotive equipment and vehicles on any street, alley, or highway, when answering calls for funeral services and when such automotive equipment and vehicles are being used in conducting a funeral, in the immediate vicinity of the home from which the deceased is being buried or in the immediate vicinity of a church wherein religious services in connection with a funeral are being held.

(City Code, 1950, art. 38, §43; 1966, art. 31, §57; 1976/83, art. 31, §44.) (Ord. 43-875.)

**§ 8-4. Plate glass deliveries.**

(a) *Permitted parking.*

Vehicles operated by glass companies are permitted to stand by locations where parking is otherwise prohibited, including truck loading zones, while installing large plate glass windows or doors.

(b) *Limitations.*

- (1) These vehicles are not permitted to stand at locations where stopping is prohibited or where they will obstruct the free movement of vehicles or pedestrians unless they have a permit to do so from the Director of Public Works.

(2) Such permits shall be issued by the Director and shall be renewable yearly.

(3) No more than 1 permit shall be issued to each glass company.

(*City Code, 1976/83, art. 31, §70A.*) (*Ord. 77-224.*)

**§ 8-5. Banks.**

(a) *Standing with permit.*

Notwithstanding the provisions of any other ordinance or ordinances to the contrary, vehicles with permits from the Director of Public Works, as herein authorized, may stand for a period of not more than 5 minutes at any 1 time, between the hours of 11 a.m. and 1 p.m. on weekdays, in front of or on the side of the premises of the banking institution as provided for in such permit, for the purpose of the withdrawal or deposit of substantial amounts of currency and evidences of indebtedness.

(b) *Director to issue permits.*

The Director of Public Works is hereby authorized, upon the joint application of a banking institution and a person, association, or corporation conducting business located within the City of Baltimore, to issue a permit authorizing such person, association, or corporation, or his or its agent or appointee, to park his or its vehicles, as herein provided.

(*City Code, 1950, art. 38, §11; 1966, art. 31, §10; 1976/83, art. 31, §9.*) (*Ord. 45-261.*)

**SUBTITLE 9**  
**PARKING FOR DISABLED PERSONS AND HELPERS**

***PART 1. RESERVED PARKING FOR DISABLED PERSONS***

**§ 9-1. Criteria for obtaining.**

A disabled person may be eligible for a reserved parking space if the person meets the following criteria:

- (1) the disability of the applicant must be permanent;
- (2) the applicant must be unable to use public transportation, leaving a personal vehicle as the only means of transportation;
- (3) the applicant must be the sole operator of the vehicle or, if the applicant is dependent upon a non-handicapped driver for transportation, the driver must reside in the same household;
- (4) parking space must be available that is not restricted by other parking regulations;
- (5) off-street parking is not available, such as a driveway, garage, or parking pad, on the applicant's property;
- (6) the applicant must submit with the application:
  - (i) a physician's statement describing the nature of the disability and its effect on the mobility of the applicant, dated within the previous 6 months; and
  - (ii) signed statements approving the designation of reserved parking for the applicant from the 2 abutting property owners and from 4 additional property owners in the block. This provision may be waived by the Director of Public Works if:
    - (A) it is determined that there are not enough properties in the block to supply the necessary signatures; or
    - (B) the Director, in consultation with the Director of the Community Relations Commission, determines that the applicant meets all other criteria for obtaining a reserved parking space.

*(City Code, 1976/83, art. 31, §157.) (Ord. 88-041; Ord. 97-129.)*

**§ 9-2. Procedure.**

*(a) Application to Director.*

- (1) Any person desiring a reserved parking space and meeting the criteria of § 9-1 of this subtitle may submit an application for a reserved parking permit to the Department of Public Works.
- (2) The Department of Public Works shall review each application.

(b) *Approvals.*

If a determination is made that the applicant meets the criteria for a space, then:

- (1) a temporary permit shall be issued; and
- (2) an administrative regulation describing the location of the reserved space shall be submitted to the City Council and shall be processed as described in § 2-6 of this article.

(c) *Denials.*

- (1) If the Department of Public Works determines that the applicant does not meet the criteria for a reserved parking space, the Department shall so notify the applicant in writing stating the reason for the denial of space.
- (2) If the Department denies the permit, the applicant may appeal the decision to the Director. The Director shall review the case and may, in the Director's discretion, reverse the denial and grant a temporary permit.

(City Code, 1976/83, art. 31, §158.) (Ord. 88-041.)

**§ 9-3. Use, renewal, and termination.**

(a) *Permit to be displayed.*

The permit must be clearly displayed whenever the vehicle is parked in the reserved parking space.

(b) *Validation and renewal*

Reserved parking permits must be:

- (1) validated upon the expiration of 6 months from their date of issue; and
- (2) renewed each year in the manner and form determined by the Director of Public Works.

(c) *Notice when no longer needed.*

The holder of a reserved parking permit or the holder's heirs shall notify the Department of Public Works when a reserved parking space is no longer needed.

(d) *Revocation.*

A reserved parking permit shall be revoked if:

- (1) false statements are made in the application;
- (2) the parking permit is misused;

(3) new parking regulations are imposed which prohibit parking at any time;

(4) the City Council rescinds an administrative regulation pursuant to § 2-6 of this article; or

(5) the disabled person dies, moves from the premises, or no longer needs the space.

(City Code, 1976/83, art. 31, §159(a) - (d).) (Ord. 88-041.)

#### **§ 9-4. Forms; rules and regulations**

The Director of Public Works shall develop forms and issue rules and regulations to carry out the provisions of this subtitle.

(City Code, 1976/83, art. 31, §159(e).) (Ord. 88-041.)

#### **§§ 9-5 to 9-10. {Reserved}**

### ***PART 2. RESERVED PARKING FOR HELPERS***

#### **§ 9-11. “Disabled person” defined.**

In this Part, “disabled person” means a person who meets the physical criteria for obtaining a reserved parking space for a disabled person.

(City Code, 1976/83, art. 31, §160(a).) (Ord. 95-537; Ord. 96-023.)

#### **§ 9-12. Criteria and procedure for obtaining**

##### **(a) *In general.***

A person who regularly renders assistance to a disabled person may apply to the Director of Public Works for a permit for 1 reserved parking space at the disabled person’s home.

##### **(b) *Application.***

The application shall be made jointly by the disabled person and the disabled person’s designated helper and shall include:

- (1) a physician’s statement, dated within 6 months prior to the date of application, describing the nature of the disabled person’s disability and its effect on the mobility of the disabled person;
- (2) signed statements approving the designation of reserved parking for the applicant from the 2 abutting property owners and from 4 additional property owners in the block. This provision may be waived by the Director of Public Works if it is determined that there are not enough properties in the block to supply the necessary signatures.

##### **(c) *Review.***

The Director of Public Works shall review each application to determine that:

(1) suitable off-street parking, such as a driveway, garage, or parking pad, is not available;

(2) suitable parking space not restricted by other parking regulations is available; and

(3) the disabled person meets the criteria for a reserved parking space.

(*City Code, 1976/83, art. 31, §160(b), (c).*) (*Ord. 95-537.*)

### **§ 9-13. Assignment of space; restrictions.**

(a) *Assignment.*

On acceptance of the application, the Director shall designate and mark 1 space at a location to be determined by the Director.

(b) *Restrictions.*

(1) The Director may specify the days, times, location, and other restrictions the Director considers necessary in order to provide adequate parking in the neighborhood.

(2) Any reserved parking space may be designated by the Director for use by more than 1 helper.

(*City Code, 1976/83, art. 31, §160(d).*) (*Ord. 95-537.*)

### **§ 9-14. Annual permit.**

(a) *Issuance.*

The Director shall issue to the designated helper a permit which shall be displayed in the manner prescribed by the Director.

(b) *Renewal.*

Permits shall be renewed each year in the manner and form determined by the Director.

(*City Code, 1976/83, art. 31, §160(e).*) (*Ord. 95-537.*)

### **§ 9-15. Regulations.**

The Director may issue regulations to carry out the provisions of this Part.

(*City Code, 1976/83, art. 31, §160(f).*) (*Ord. 95-537.*)

### **§§ 9-16 to 9-20. {Reserved}**

## ***PART 3. TOWING CONTRACTS FOR PARKING FACILITIES***

### **§ 9-21. Contracts required.**

By October 1, 1997, and annually thereafter, the owner of any parking facilities with parking spaces required by law to be designated for the use of disabled persons must certify to the Mayor's Commission on Disabilities that:

(1) the owner has a contract for towing service to remove from the designated spaces any vehicle that does not display special registration plates for disabled persons or a disabled person's parking permit; and

(2) the contract is effective for the period of certification.

*(City Code, 1976/83, art. 31, §161.) (Ord. 97-163.)*

**SUBTITLE 10**  
**RESIDENTIAL PERMIT PARKING PROGRAM**

**§ 10-1. Definitions.**

(a) *In general.*

For the purposes of this subtitle, the following terms shall have the meanings listed below.

(b) *Block face.*

A “block face” shall refer to all of the properties on 1 side of a given street existing between 2 consecutive intersecting streets.

(c) *Household.*

“Household” shall mean all persons occupying a single housing unit (house, apartment, group of rooms, or single room intended for occupancy as separate living quarters).

(d) *Influence area.*

“Influence area” shall mean the area surrounding a facility in which it could reasonably be expected that nonresident motor vehicle owners or operators using the facility would seek parking spaces.

(e) *Motor vehicle.*

“Motor vehicle” shall mean a vehicle licensed as a private passenger car or a motorcycle, including all vehicles designated as multipurpose passenger vehicles under the Maryland Vehicle Law.

(f) *Parking Management Plan.*

“Parking Management Plan” shall refer to a method specifically designed to address the identified parking needs of a clearly defined area through use of techniques such as:

- (1) a Residential Permit Parking Program;
- (2) parking time restrictions;
- (3) special meter zones; and
- (4) 1-way street patterns.



(g) *Peak period.*

“Peak period” shall mean that time interval between the hours of 7 a.m. and 7 p.m. on weekdays during which the highest percentage of overall resident and nonresident parking utilization as well as nonresidential parking utilization occurs.

(h) *Residential area or neighborhood.*

“Residential area or neighborhood” means a contiguous or nearly contiguous area that:

- (1) contains all or part of a public street or highway at least 1 side of which is primarily abutted by residential property or by residential and nonbusiness property, including but not limited to schools, parks, churches, hospitals, and nursing homes; and
- (2) consists of 1 of the following:
  - (i) an area zoned as a residence district, which may include any block face that adjoins the residence district;
  - (ii) an area in which an entire block face is residential in use, which may include any block face that adjoins the area;
  - (iii) an area subject to a recorded master plan for subdivision and development into an area to be zoned as a residence district, where:
    - (A) at least 50% of the development sites have been leased or conveyed to developers, rehabilitators, restorers, or occupants with lease, deed, or disposition agreement restrictions limiting improvements to residential uses only;
    - (B) at least 50% of the planned development has been completed; and
    - (C) at least 50% of the planned improvements are in fact used and occupied as residences;
  - (iv) the area known as “Little Italy”, as defined in § 10-13 of this subtitle;
  - (v) the area known as “Fells Point”, as defined in § 10-14 of this subtitle;
  - (vi) the area known as “Cross Street”, as defined in § 10-15 of this subtitle; or
  - (vii) the area known as “Camden Yards Stadium Complex area”, as defined in § 10-16 of this subtitle.

(i) *Residential Permit Parking Program Area; Residential Parking Area.*

“Residential Permit Parking Program Area” or “Residential Parking Area” means a residential area designated under this subtitle in which resident vehicles displaying a valid permit are exempt from parking time restrictions established under this subtitle.

(City Code, 1976/83, art. 31, §156(b).) (Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193; Ord. 99-519; Ord. 05-118.)

**§ 10-2. Findings and declarations.**(a) *In general.*

The Mayor and City Council finds and declares that serious adverse conditions in certain areas and neighborhoods of the City of Baltimore result from motor vehicle congestion, particularly long-term parking of motor vehicles on the streets of those areas and neighborhoods by nonresidents.

(b) *Program intent.*

The permit parking program established by this subtitle is intended:

- (1) to reduce hazardous traffic conditions resulting from the use of streets within these areas or neighborhoods by nonresidents;
- (2) to protect these areas and neighborhoods from polluted air and thereby assist in attaining national ambient air quality standards as required by the 1977 Amendments to the Clean Air Act of 1970;
- (3) to protect these areas and neighborhoods from excessive noise, trash and refuse caused by the entry of nonresident vehicles;
- (4) to protect the residents of these areas and neighborhoods from unreasonable burdens in gaining access to their residences;
- (5) to preserve the character of those areas as residential areas and neighborhoods;
- (6) to preserve the value of the property in those areas and neighborhoods;
- (7) to preserve the safety of children and other pedestrians; and
- (8) for the peace, good order, comfort, convenience, and welfare of the inhabitants of the City.

(City Code, 1976/83, art. 31, §156(a).) (Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 99-519.)

**§ 10-3. Program established.**

There is established a Residential Permit Parking Program, available to all qualified residential areas or neighborhoods of the City.  
(*City Code, 1976/83, art. 31, §156(c)(1<sup>st</sup> sen.)*.) (*Ord. 79-999; Ord. 79-1192; Ord. 80-142; Ord. 99-519.*)

**§ 10-4. Application and parking study.***(a) In general.*

- (1) To qualify for the Program, these areas or neighborhoods must meet the criteria set forth in this subtitle and any additional criteria that the Director of Public Works establishes consistent with the guidelines and standards of this subtitle.
- (2) Residential permit parking areas may be established only in accordance with the following procedures.

*(b) Petition.*

- (1) In order to be considered for a Residential Permit Parking Program, a neighborhood group, group of residents, or community association must submit a petition to the Director of Public Works (the Director) containing the signature of an adult member of at least 60% of the households in the residential area.
- (2) Petitions will only be considered for areas which contain at least 10 adjacent block faces or 100 curb parking spaces. Petitions from smaller areas shall be considered if the area is completely surrounded by commercial, industrial or institutional uses.
- (3) The boundaries of and the streets within the proposed permit parking area must be clearly identified on each page of the petition.
- (4) A cover letter explaining the reason for the request and containing the boundaries of streets within the proposed permit parking area should accompany the petition.

*(c) Parking study.*

- (1) Upon receipt of a valid petition, the Director shall conduct a parking study within, but not limited to, the area identified in the petition.
- (2) Additional areas may be included in the survey to cover adjacent areas of parking congestion and the “influence areas” of known parking congestion generators.
- (3) A residential permit parking program will be considered further if the results of the study demonstrate that both of the following criteria are satisfied:

- (i) At least 80% of the curb parking spaces in an adjacent 10-block area or area containing not less than 100 curb parking spaces were utilized during peak periods. The area identified need not coincide with the boundaries of the area identified in the petition if the study area was expanded to include known parking congestion nearby.

- (ii) At least 25% of the curb parking spaces in the area identified in (i) above were utilized by nonresident parkers who were parked for 2 or more hours.

(City Code, 1976/83, art. 31, §156(c)(1), (2).) (Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 91-760; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193; Ord. 99-519.)

#### **§ 10-5. Parking Management Plan - development.**

(a) *Director to develop; considerations.*

- (1) The Director shall use the results of the parking study to design a Parking Management Plan designed to solve the identified problem.
- (2) Special attention will be given to the definition of a permit area boundary and to the impact upon various population groups in designing the Parking Management Plan. Alternatives to a Residential Permit Parking Program, including but not limited to parking time limits, special meter zones, 1-way streets, and alternate side of the street parking, will be considered.

(b) *Review by Planning, others.*

- (1) The Director shall transmit the proposed Parking Management Plan to the Department of Planning for review.
- (2) The Department of Planning shall review the economic impact of the plan on the nonresidential uses in the affected area. Such analysis shall among other things, consider the adequacy of available and future off-street parking for these uses.
- (3) If there are special districts, historic areas or other special designations in or near the area proposed to be covered by the Parking Management Plan, the Department of Planning shall notify the appropriate City agencies for their comments.
- (4) All comments shall be returned by the Director within 30 days.

(c) *Public comment.*

- (1) The Director shall present the Parking Management Plan at a public meeting held in accordance with a formal set of procedures to obtain public response to the proposed plan.
- (2) Notice of the public meeting shall be published once in a newspaper of general circulation in the City at least 1 week before the meeting. Written notice of the public meeting also shall be sent to the Mayor and members of the City Council, to City agencies affected by the Plan, and to any community organizations representing the affected area.

- (3) The Director may seek additional neighborhood comment on the proposed plan before a decision is made on the final version of the Parking Management Plan. The Director may also consult with members of the City Council.

(City Code, 1976/83, art. 31, §156(c)(3), (4).) (Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 99-526.)

**§ 10-6. Parking Management Plan - adoption.**

(a) *Director to issue regulation.*

- (1) The Director shall issue an administrative regulation setting forth a Residential Permit Parking Program or other Parking Management Plan, either of which may incorporate amendments suggested during the public meetings, and the Director shall publish this regulation once in a newspaper of general circulation in the City.
- (2) The administrative regulation creating a Residential Permit Parking Program or other Parking Management Program resulting from this process shall be effective for a period of 6 months.

(b) *Administrative extension.*

- (1) The administrative regulation establishing a Residential Permit Parking Program or other Parking Management Plan may be made permanently effective by the Director's giving notice not less than 15 days prior to the expiration of the 6-month period to the President of the City Council.
- (2) If no written objection to the administrative regulation is made by any 2 members of the City Council representing the affected area and forwarded to the Director within the 15-day period, the regulation shall cease to be temporary and become permanently effective at the end of the aforementioned 6-month period.

(c) *Ordinance to extend.*

If such a written objection is received by the Director, an ordinance setting forth the provisions of the administrative regulation shall be introduced by the City Council President and, depending upon the passage or failure of the ordinance, the administrative regulation shall become permanently effective in accordance with the terms of the ordinance or be of no further force or effect.

(d) *Subsequent amendment or rescission.*

At any time after an administrative regulation is issued, the Mayor and City Council may by ordinance direct the Director to rescind or amend the administrative regulation creating a Residential Permit Parking Program or other Parking Management Plan, and at the time when such an ordinance shall become effective, the Administrative Regulation shall be so rescinded or amended.

(City Code, 1976/83, art. 31, §156(c)(5).) (Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 99-526.)

**§ 10-7. Hours of operation.***(a) Parking restriction for nonresidents.*

- (1) Except as otherwise provided in this subsection, parking durations for non-permit holders are limited to 2 hours.
- (2) In the Residential Parking Area known as Area 1 (“Oakenshawe”), parking for non-permit holders is limited during any 1 calendar day to 2 hours in any 1 or more parking spots anywhere within the Residential Parking Area.

*(b) Hours when restrictions apply.*

- (1) The hours during which parking is restricted in Residential Permit Parking Program Areas are 7 a.m. to 7 p.m., weekdays only, unless the Director determines that protection from parking congestion requires an adjustment of these hours or days.
- (2) For the purpose of this determination, the same levels of parking accumulation (80%) and nonresident utilization (25%) specified in § 10-4(c) of this subtitle will be used.
- (3) During this period, parking durations are limited as specified in subsection (a) of this section. (*City Code, 1976/83, art. 31, §156(d).*) (*Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 91-760; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193; Ord. 05-118.*)

**§ 10-8. Permits and fees.***(a) In general.*

- (1) A residential parking permit shall be issued upon payment of a reasonable annual fee which shall be charged for each eligible motor vehicle within a Residential Permit Parking Program Area when a permit is requested by the vehicle owner.
- (2) The minimum fee shall be \$5 per year for each permit and may be adjusted by the Director.
- (3) The Director may also adjust the fees to provide for additional hours of operation or the addition of non-weekday restrictions to the period of operation of the Program.

*(b) Fees nonrefundable.*

Permit fees shall not be refunded.

*(c) Visitors' permits.*

The Director may at his discretion make provisions for the issuance of temporary parking permits to bona fide visitors of residents of a designated residential permit parking program area.

(d) *Areas exempt from fees.*

The requirement for the payment of fees provided for in this section shall not apply to any eligible resident in a residential permit parking program in the Camden Yards Stadium Complex area, Areas A and B, as authorized under the provisions of § 10-16 of this subtitle.

(City Code, 1976/83, art. 31, §156(e).) (Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 91-760; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193.)

**§ 10-9. Administration; rules and regulations.**

This subtitle shall be administered by the Director in accordance with the rules and regulations that the Director may issue.

(City Code, 1976/83, art. 31, §156(f).) (Ord. 79-999; Ord. 79-1193; Ord. 80-142.)

**§ 10-10. Modifications to Programs.**

(a) *In general.*

An established Residential Permit Parking Program may be modified by the Director at any time in accordance with the following procedures.

(b) *Minor changes.*

Minor changes, such as the addition or elimination of a block face, may be made by the Director after consultation with the residents of the block.

(c) *Major changes.*

(1) Major changes, such as the addition or elimination of 2 or more block faces, changing the hours or days of operation, or the termination of the program, must be presented at a public meeting.

(2) The City Council will also be notified of the intended changes and, if within 30 days following the public meeting and notice to the Council, a majority of the members of the Council does not oppose the changes, the recommended changes shall be made permanent by the Director.

(d) *Reserved rights.*

This section does not change:

(1) the right of the Mayor and City Council, by ordinance, to direct the Director to rescind or amend the administrative regulation that establishes the residential permit parking program or other parking management program; or

- (2) the right of the Director to terminate the program at any time within the 6-month period or at the end of the trial period if evidence shows the program is not solving the parking problem cited in the original petition for a residential permit parking program.

(City Code, 1976/83, art. 31, §156(g).) (Ord. 79-999; Ord. 79-1193; Ord. 80-142; Ord. 83-1120; Ord. 85-483; Ord. 86-641; Ord. 91-703; Ord. 91-760; Ord. 92-109; Ord. 92-114; Ord. 92-115; Ord. 93-193; Ord. 04-672.)

**§ 10-11. {Reserved}**

**§ 10-12. Pimlico Race Track Area.**

- (a) *Sections inapplicable.*

The Pimlico Race Track area, as defined in § 31-86 of this article shall not be subject to §§ 10-4(c) and 10-7 of this subtitle.

- (b) *Hours of operation.*

The hours during which parking could be restricted under a residential permit parking program shall not exceed the period from 7:00 a.m. to 7:00 p.m.

- (c) *Days of operation.*

No residential permit parking program developed under the provisions of this section shall be in effect upon days other than those when a racing meet is being held at the Pimlico Race Track, nor shall it be in effect on Preakness Day.

(City Code, 1976/83, art. 31, §156(h).) (Ord. 79-1193.)

**§ 10-13. Little Italy Area.**

- (a) *Area delineated.*

The Little Italy area is that area included within the outer limits of Pratt Street, Central Avenue, Duker Alley, and President Street.

- (b) *Businesses also eligible.*

The residential permit parking program for this area shall provide permits for the businesses located within the area to the same extent they are provided to the residents.

- (c) *Hours of operation.*

The hours during which parking will be restricted shall be between 8:00 a.m. and 8:00 p.m., unless the Director determines that the state of parking congestion requires a change in these hours.

(City Code, 1976/83, art. 31, §156(i).) (Ord. 83-1120; Ord. 85-483.)



**§ 10-14. Fells Point Area.**

The Fells Point area is that area included within the outer limits of Caroline Street, Wolfe Street, Fleet Street, and Thames Street.  
(*City Code, 1976/83, art. 31, §156(j).*) (*Ord. 86-641.*)

**§ 10-15. Cross Street Area.**

The Cross Street area is that area consisting of the 100 block of East Cross Street.  
(*City Code, 1976/83, art. 31, §156(k).*) (*Ord. 91-703.*)

**§ 10-16. Camden Yards Stadium Complex Area.**

(a) *Area delineated.*

The Camden Yards Stadium Complex area is that area within the outer limits of North Avenue, the western bank of the Jones' Falls, the outer limits of Lawrence Street, Interstate I-95, and Monroe Street.

(b) *Sections inapplicable.*

(1) Camden Yards Stadium Complex area not subject to §§ 10-4 and 10-7 of this subtitle.

(2) A petition from each block face to be considered must be submitted that contains the signature of an adult member of at least 60% of the households in the affected block.

(c) *Parking restrictions.*

Except for permit holders parking duration shall be restricted in whole or in part.

(d) *Persons eligible.*

(1) In the Camden Yards Stadium Complex area, block faces which are residential in use shall be eligible for residential permit parking privileges.

(2) The residential permit parking program for stadium event restricted parking program - Area A (South Baltimore), Area B (Washington Village), and Area 5 (Ridgely's Delight) shall provide permits for the businesses located within Area A, Area B, and Area 5 to the same extent they are provided to the residents.

(e) *Area Committee.*

(1) There shall be established a Camden Yards Stadium Complex Area Committee.

(2) The Committee shall be comprised of duly appointed representatives of existing residential permit parking areas, community associations, business associations, and religious, educational, and nonprofit institutions in the Camden Yards Stadium Complex area, the Commissioner of Police, the Director of Public Works, and the Director of the Stadium Authority.

- (3) The Committee shall consider and make recommendations concerning any changes to the Camden Yards Stadium Complex area residential permit parking program under consideration by the Director of Public Works.

(f) *Application of section to other designated areas.*

Any designated residential permit parking area which falls, in whole or in part, within the Camden Yards Stadium Complex area shall be subject to all the provisions of this section. *City Code, 1976/83, art. 31, §156(l.) (Ord. 92-109; Ord. 93-193.)*

**SUBTITLE 11**  
**MISCELLANEOUS RESERVED PARKING**

**§ 11-1. Pratt bookmobiles.**

(a) *In general.*

The Enoch Pratt Free Library shall have the right to park its vehicles for the display and lending of books, commonly known as bookmobiles, in areas where parking is permitted for limited periods of time, for such periods and at such locations as may be approved by the Director of Public Works.

(b) *Application.*

Permission to park in such spaces shall be granted only after written application by a duly authorized representative of the Enoch Pratt Free Library to the Director of Public Works.

(c) *Permit required.*

There shall be attached to each such vehicle a special parking permit, as required by the Director of Public Works, showing the approval for each location, where the bookmobile may be parked and the hours during which it may be parked at that location.

(d) *Notice to Police Commissioner.*

Sufficient notice of an intention to park a bookmobile in such a location shall be provided to the Police Commissioner in advance of the time when the bookmobile will be at a particular place, in order to facilitate the warning of other vehicles that the space will be reserved for the bookmobile for a specific time and location.

(*City Code, 1966, art. 31, §28; 1976/83, art. 31, §19.*) (*Ord. 55-1430.*)

**§ 11-2. City Council.**

All members of the City Council, the Chief Clerk of the City Council, the Fiscal Adviser to the City Council, the Director of the Department of Legislative Reference, and no other person, shall be issued special permits by the Director of Public Works, which shall be displayed on their vehicles and which will entitle them and no other person to park at the following locations:

(1) Fayette Street, north side, from Gay Street to Holliday Street, between 8 a.m. and 6 p.m.

(2) Lexington Street, south side, from Holliday Street to Gay Street, between 8 a.m. and 6 p.m.

(*City Code, 1976/83, art. 31, §25.*) (*Ord. 68-097; Ord. 85-528; Ord. 87-1094; Ord. 89-260.*)

**SUBTITLE 12**  
**OFF-STREET PARKING COMMISSION**

**§ 12-1. Commission; members.**

(a) *Commission established.*

Pursuant to the power and authority vested in the Mayor and City Council of Baltimore by Chapter 611, Laws of Maryland 1947, and Chapter 28, Laws of Maryland 1948, Special Session, and by Ordinance 48-338, approved July 2, 1948, there is hereby created a commission to be known as “The Off-Street Parking Commission of Baltimore City”, to consist of 11 members:

(1) 7 of whom shall be the following:

- (i) the Mayor or his designee;
- (ii) a member of the City Council, who shall be elected by that body;
- (iii) the Commissioner of Housing and Community Development or his designee;
- (iv) the Director of Planning or his designee;
- (v) the Commissioner of Transit and Traffic *{Director of Public Works?}* or his designee;
- (vi) the Director of Finance or his designee; and
- (vii) the Director of Public Works or his designee; and

(2) 4 of whom shall be persons interested in the development and establishment of off-street parking facilities, and other matters relating to parking, and who shall be appointed by the Mayor of Baltimore City in the manner prescribed by Article IV, § 6 of the Baltimore City Charter.

(b) *Appointed members.*

(1) None of the persons appointed by the Mayor shall hold any other public office either at the time of his appointment or thereafter.

(2) Any person who is an officer, employee, agent, or representative of any individual, partnership, corporation, or association who or which is engaged in the business of storing, parking or servicing motor vehicles, shall not be appointed a member of the Commission. *(City Code, 1950, art. 38, §73(a); 1966, art. 31, §87(a); 1976/83, art. 31, §63(a).) (Ord. 48-134; Ord. 48-506; Ord. 74-584; Ord. 81-327.)*

**§ 12-2. Terms; chair; compensation****(a) Terms - *ex-officio* members.**

The person holding the particular public office stated in § 12-1(a)(1) of this subtitle shall serve until he ceases to hold office or until the particular office is abolished.

**(b) Terms - *appointed* members.**

- (1) The members appointed by the Mayor shall hold office for a term of 4 years, but in no event shall such term continue beyond the term of the Mayor who appointed them.
- (2) The members appointed by the Mayor shall continue in office until their respective successors are appointed.
- (3) Members of the Commission appointed by the Mayor shall be eligible for reappointment.
- (4) The members of the Commission appointed by the Mayor may be removed from office for cause in accordance with the provisions of Article IV, § 6 of the Baltimore City Charter.

**(c) Chair.**

One of the members shall be designated by the Mayor as Chairman of the Commission to serve for 4 years.

**(d) Compensation.**

No member of the Commission shall receive any compensation for his services to the Commission.

(City Code, 1950, art. 38, §73(b), (c); 1966, art. 31, §87(b), (c); 1976/83, art. 31, §63(b), (c).) (Ord. 48-134; Ord. 48-506; Ord. 65-514; Ord. 74-584.)

**§ 12-3. Director; staff.****(a) Commission to appoint.**

The Commission may appoint a Director and such other personnel as are necessary for the proper performance of the duties of the Commission, said personnel to receive such compensation as has been approved by the Board of Estimates and provided for in the annual Ordinance of Estimates.

**(b) Civil Service.**

The Director and any other personnel employed by the Commission shall be subject to the provisions of the Classified Civil Service of the City of Baltimore.

(City Code, 1950, art. 38, §73(e); 1966, art. 31, §87(e); 1976/83, art. 31, §63(e).) (Ord. 48-134; Ord. 48-506; Ord. 74-584.)

**§ 12-4. Meetings, records, and regulations.****(a) Meetings.**

- (1) The majority of the Commission shall constitute a quorum to transact any business.
- (2) All sessions or meetings of the Commission except executive sessions shall be open to the public.
- (3) The Commission shall keep records of its proceedings, showing the vote of each member and each question, or if absent or failing to vote, indicating such fact.

**(b) Records.**

The Commission shall keep a record of any resolutions, transactions, findings, terminations, and decisions, and all of the records of the Commission shall be filed in the Department of Legislative Reference and shall be public records.

**(c) Rules and regulations.**

The Commission may adopt such rules and regulations as it may deem necessary for the proper transaction of any business.

(City Code, 1950, art. 38, §73(d); 1966, art. 31, §87(d); 1976/83, art. 31, §63(d).) (Ord. 48-134; Ord. 48-506; Ord. 74-584.)

**§ 12-5. Powers generally.****(a) Charter authority.**

The Commission is hereby granted full power and authority to exercise and perform any and all of the powers and authority granted to, and conferred upon, the Mayor and City Council of Baltimore by Article II, § (20) of the City Charter.

**(b) Legislative authorizations.**

The Commission is hereby granted full power and authority:

- (1) to administer and supervise the proceeds derived from the sale of the certificates of indebtedness authorized to be issued by Chapter 28, Laws of Maryland 1948, Special Session, and Ordinance 48-338, approved by the Mayor on July 2, 1948, and by the voters of Baltimore City on November 2, 1948, including, but not limited to, the expenditure and disposition of such proceeds; and
- (2) to exercise all of the powers and perform all of the duties mentioned in Sections 2, 3, and 4, inclusive, of Chapter 28, Laws of Maryland 1948, Special Session, and Sections 4, 5, and 8, inclusive, of Ordinance 48-338, approved July 2, 1948, which were contemplated

and intended to be exercised and performed by an agency of the Mayor and City Council of Baltimore to be created by it, all as provided in said Act and Ordinance.  
*(City Code, 1950, art. 38, §§74(a), 75; 1966, art. 31, §§88(a), 89; 1976/83, art. 31, §§64(a), 65.)(Ord. 48-134; Ord. 48-506; Ord. 74-584.)*

## **§ 12-6. Property acquisition.**

### *(a) Condemnation.*

The Commission is hereby authorized and empowered to institute or cause to be instituted, from time to time, in the name of, and for, the Mayor and City Council of Baltimore, such condemnation proceedings as may be necessary to acquire any and all lands or property of any kind, or any interest therein, in order to accomplish any and all of the purposes set forth in this subtitle.

### *(b) Purchase; Ordinance for condemnation.*

(1) Where it is possible for the Off-Street Parking Commission to acquire sufficient land for a feasible project without exercising the powers of condemnation, the Commission shall have full authority to acquire the necessary property.

(2) But where it is necessary for the Commission to condemn in order to acquire an area sufficient for a feasible off-street parking project, it shall be necessary to have the site approved by an Ordinance of the Mayor and City Council.

*(City Code, 1950, art. 38, §§74(b), 76; 1966, art. 31, §§88(b), 90; 1976/83, art. 31, §§64(b), 66.)(Ord. 48-134; Ord. 48-506; Ord. 74-584.)*

## **§ 12-7. Additional powers.**

In addition to the foregoing, the Commission shall have the following powers:

- (1) to prepare and be responsible for a comprehensive parking policy for Baltimore City;
- (2) to study patterns of available parking facilities;
- (3) to study and ascertain how available parking facilities influence and affect mass transit and other modes of transportation;
- (4) to study and make recommendations to appropriate City, State, or Federal agencies with regard to parking policy in Baltimore City;
- (5) to study parking fees and make recommendations in regard thereto;
- (6) to study general design criteria for parking facilities and recommendations in regard thereto;
- (7) to develop and implement a comprehensive downtown parking facility;

(8) to assist any, and all public or private segments of the community involved in on-street or off-street parking; and

(9) to study parking lot operations in Baltimore City.

*(City Code, 1966, art. 31, §88(c); 1976/83, art. 31, §64(c).) (Ord. 74-584.)*



**SUBTITLE 13**  
**BALTIMORE CITY PARKING AUTHORITY**

**Editor's Note:** This subtitle was enacted by Ordinance 00-071, effective October 1, 2000. Section 5 of that Ordinance provides for the review and possible termination of this subtitle, as follows:

[T]he Mayor and City Council periodically shall review the operations and effectiveness of the Authority and the desirability of continuing the Authority's existence. To that end, this Ordinance is effective only through June 30, 2006. At the end of that period, unless this Ordinance has been expressly reauthorized and extended by the Mayor and City Council, this Ordinance automatically, with no further action by the Mayor and City Council, will be abrogated and of no further effect.

**§ 13-1. Definitions.**

(a) *In general.*

In this subtitle, the following words have the meanings indicated.

(b) *Acquire.*

“Acquire” means to obtain by gift, purchase, lease, devise, or other legal means.

(c) *Authority.*

“Authority” means the Baltimore City Parking Authority.

(d) *Board.*

“Board” means the Board of Directors of the Authority.

(e) *Borrowings.*

(1) “Borrowings” means the financing of capital needs by the Authority through revenue bonds or any other form of financing authorized by law.

(2) “Borrowings” includes:

(i) revenue bonds or notes;

(ii) obligations issued in anticipation of revenue bonds or notes;

(iii) certificates of participation;

(iv) conditional purchase agreements;

(v) purchase money instruments; and

(vi) any other instrument delivered by the Authority to evidence a borrowing of funds.

(f) *Contract.*

“Contract” means any written note, bond, mortgage, indenture, lease, sublease, license, contract, agreement, instrument, financial arrangement, obligation, or other legally binding commitment.

(g) *Demand management strategies.*

“Demand management strategies” means measures used to control and reduce the demand for existing and new parking facilities.

(h) *Develop.*

“Develop”, when used in connection with a parking project, means to plan, design, construct, improve, expand, renovate, rehabilitate, equip, furnish, or convert property to create a parking project, either directly by the Authority or through the use of other persons.

(i) *Enabling Act.*

“Enabling Act” means the State Parking Authorities Act, codified at Article 41, Title 14, Subtitle 3 of the Maryland Code, as amended from time to time.

(j) *Operate.*

“Operate”, when used in connection with a parking project, means to maintain, manage, repair, improve, expand, alter, modify, regulate, or otherwise control the operation of the parking project, either directly by the Authority or through the use of other persons.

(k) *Parking Project.*

“Parking Project” means all or part of any property in the City that the Authority is authorized to acquire, develop, or operate under the Enabling Act and this subtitle.

(l) *Person.*

“Person” includes:

- (1) an individual;
- (2) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind;
- (3) a partnership, firm, association, corporation, or other entity of any kind; and
- (4) a governmental entity or an instrumentality or unit of a governmental entity.

(m) *Property.*

“Property” includes:

(1) any real or personal property, tangible or intangible; and

(2) any interest in real or personal property, including any franchise, license, or easement.

(n) *Public Bonds.*

“Public Bonds” means any borrowing evidenced by the issuance of bonds, notes, certificates, or other instruments that are sold or structured for sale to retail purchasers of municipal or public obligations and that are typically accompanied by the preparation of a prospectus, offering statement, or similar disclosure document.

(Ord. 00-071.)

### **§ 13-2. Construction.**

This subtitle and the powers granted under it must be broadly interpreted to allow the Authority to achieve the purposes of:

(1) the Enabling Act; and

(2) this subtitle.

(Ord. 00-071.)

### **§ 13-3. Authority established; purposes.**

(a) *Authority established.*

There is a Baltimore City Parking Authority, established under the Enabling Act as a body corporate and politic.

(b) *Corporate powers.*

The Authority may:

(1) sue and be sued; and

(2) adopt, use, and alter at will a corporate seal.

(c) *Purposes.*

The Authority is created for the purposes set forth in the Enabling Act.

(Ord. 00-071.)

### **§ 13-4. General powers.**

(a) *In general.*

(1) The Authority may exercise any of the following powers, either singly or in any combination, in each instance to the extent the Board determines is necessary or convenient to achieve the purposes of the Authority.

- (2) The powers enumerated in this section are in addition to any other powers or authorizations specifically granted to the Authority by law.

(b) *Acquisition of property.*

The Authority may acquire property:

- (1) to develop parking projects; or
- (2) otherwise as necessary or desirable for carrying out its purposes.

(c) *Acquisition of projects.*

The Authority may acquire already-existing parking projects.

(d) *Funding, development, or construction of projects.*

- (1) The Authority may fund, develop, or construct parking projects.
- (2) The final design of any parking structure that the Authority funds, develops, or constructs is subject to the approval of the Planning Commission.

(e) *Operation of projects.*

The Authority may operate the parking projects that it acquires or develops.

(f) *Use of projects*

The Authority may:

- (1) contract with any person for the use, by persons other than the Authority, of all or part of any parking project; and
- (2) subject to the approval of the Board of Estimates, set the rates, tolls, rents, fees, charges, or other financial or non-financial impositions for any parking project.

(g) *Disposition of property.*

To the extent permitted by the Enabling Act, the Authority may sell or otherwise transfer to the City or other persons its interest in any property or parking project.

(h) *Contracts.*

- (1) The authority may enter into contracts necessary or convenient to the exercise of its powers.
- (2) The Authority's contracts:
  - (i) are subject to the approval of the Board of Estimates; but

(ii) are not otherwise subject to Article VI, § 11 of the City Charter.

(i) *Research and studies.*

The Authority may:

- (1) conduct research and studies relating to parking and demand management strategies, including the preparation of short-term or long-term plans; and
- (2) contract with persons to assist in these studies and plans.

(j) *Grants.*

The Authority may accept grants from any governmental entity, including the State and the City, or any political subdivision of the State, and from any other person.

(k) *Bylaws.*

The Authority may adopt bylaws for the management and regulation of its affairs.

(l) *Rules and regulations.*

- (1) Subject to the approval of the Board of Estimates, the Authority may adopt rules and regulations governing the operation and use of its parking projects.
- (2) A copy of all rules and regulations must be filed with the Department of Legislative Reference before they take effect.

(m) *General.*

The Authority may do all other acts and things necessary or convenient to carry out the powers granted by this subtitle or by any other law.

(n) *Exemptions.*

To the extent not specifically made subject to laws and procedures that otherwise apply to units of the City government, the Authority is exempt from those laws and procedures.  
(Ord. 00-071.)

**§ 13-5. Management of City operations.**

(a) *Scope.*

The functions authorized by this section may be exercised as necessary or appropriate to improve efficiency and maximize revenues, subject, however, to the limitations of applicable State and local laws and existing contractual obligations of the City.

(b) *In general.*

Subject to the limitations specified in subsection (a) of this section, the City and the Authority may contract for the Authority's undertaking any 1 or more of the following functions:

- (1) operation of 1 or more parking projects owned or controlled by the City;
- (2) installation and maintenance of City parking meters;
- (3) enforcement of City parking ordinances and regulations; and
- (4) otherwise managing part or all of the City's parking operations.

(c) *Management and operations plan and report.*

- (1) At least 45 days before it assumes any new function or any new part of a function under this section, the Authority must submit a written management and operations plan to the City Council and the Board of Estimates.
- (2) As long as the Authority is performing any function under this section, the Authority must submit an annual written report to the City Council and the Board of Estimates on its management and operations under this section.

(Ord. 00-071.)

**§ 13-6. Limitations.**

(a) *In general.*

The Authority is not an agency of the Mayor and City Council of Baltimore, and its officers and employees are not agents or employees of the Mayor and City Council of Baltimore.

(b) *In particular.*

The Authority:

- (1) may not pledge the full faith and credit of the City or otherwise obligate the City to any borrowing or contract;
- (2) does not have any taxing authority;
- (3) may not exercise the power of eminent domain; and
- (4) may not issue any public bonds.

(c) *City to be held harmless.*

The Authority must indemnify and hold harmless the Mayor and City Council of Baltimore and its officers, agents, and employees against all acts, conditions, damages, suits, claims, and

liabilities arising out of or in connection with any activities of the Authority or of its Board, Executive Director, officers, agents, or employees.  
(Ord. 00-071.)

**§ 13-7. Board of Directors — In general.**

(a) *Established.*

- (1) The powers of the Authority are exercised by a Board of Directors.
- (2) The Board consists of 5 members, of which:
  - (i) 4 are appointed by the Mayor and confirmed by the City Council; and
  - (ii) 1 is a member of the City Council appointed by the City Council President.

(b) *Qualifications.*

- (1) Each member of the Board must be:
  - (i) a resident of Baltimore City; and
  - (ii) a person of ability, experience, and integrity.
- (2) At least 1 member of the Board must have mass transit involvement.

(c) *Term.*

- (1) The term of a member is 3 years.
- (2) The terms of the members are staggered as required by the terms provided for the members first appointed to the Board.

(d) *Vacancies.*

- (1) At the end of a term, a member continues to serve until his or her successor is appointed and qualifies.
- (2) A member who is appointed after a term has begun serves only for the rest of the term and until his or her successor is appointed and qualifies.
- (3) Members may be appointed to succeed themselves. However, a member may not serve more than 2 consecutive full terms.

(e) *Removal.*

The Mayor or City Council President, as the case may be, may remove at will any member of the Board appointed by him or her.

(f) *Compensation; expenses.*

(1) A member may not receive compensation.

(2) The Board may establish rules governing payment of or reimbursement for expenses incurred by a member in the discharge of his or her duties.

(Ord. 00-071.)

**§ 13-8. Board of Directors — Officers; staff; delegation.**

(a) *Officers..*

(1) The Mayor designates the Chair of the Board.

(2) From among its members, the Board must select a treasurer, a secretary, and any other officers that the Board determines.

(b) *Staff.*

(1) The Board must select an executive director, as provided in § 13-10 of this subtitle.

(2) The Board may:

(i) employ attorneys, accountants, technical experts, agents, and employees, permanent or temporary, as the Board requires;

(ii) determine their qualifications and duties; and

(iii) fix their compensation.

(c) *Delegation.*

The Board may delegate to one or more of its agents or employees any of the Board's powers that the Board considers necessary to carry out this subtitle.

(d) *No personal liability.*

No member of the Board may be held personally liable for the obligations of the Authority, and the rights of creditors may be exercised solely against the Authority.

(Ord. 00-071.)

**§ 13-9. Board of Directors — Quorum; open meetings; public records.**

(a) *Quorum.*

Three members of the Board constitute a quorum.



(b) *Open meetings.*

All meetings of the Board must be conducted in accordance with the State Open Meetings Act.

(c) *Public records.*

All records of the Authority must be open to public inspection in accordance with the State Public Information Act.

(Ord. 00-071.)

**§ 13-10. Executive Director.**

(a) *Chief Administrative Officer.*

The Executive Director is the chief administrative officer of the Authority.

(b) *Qualifications; tenure.*

(1) The Executive Director may not be a member of the Board.

(2) The Executive Director serves at the pleasure of the Board.

(3) Any employment contract with the Executive Director may not exceed 3 years, but may be renewed up to 3 years at a time by agreement between the Board and the Executive Director.

(c) *Duties.*

In addition to any other rights, powers, and duties granted by the Board, the Executive Director:

(1) supervises and manages the day-to-day operations of the Authority and its employees and contractors;

(2) prepares the Authority's various plans and reports for review and approval by the Board;

(3) implements the approved financial plan and arranges for the collection, deposit, and disbursement of all charges and revenues of the Authority; and

(4) establishes the procedures and processes needed to perform the functions called for under the financial plan.

(Ord. 00-071.)

**§ 13-11. Financial plan; annual report.**

(a) *Fiscal year.*

The Authority's fiscal year is the same as the City's fiscal year.

(b) *Annual plan required.*

- (1) Annually, the Board of Directors must develop and, subject to the approval of the Board of Estimates, adopt a financial plan for the ensuing fiscal year.
- (2) The financial plan for each fiscal year:
  - (i) must contain the Authority's proposed plan for both operations and capital expenditures in that fiscal year; and
  - (ii) may include a narrative of initiatives to be undertaken by the Authority in its effort to develop parking projects and demand management strategies.

(c) *Submission of proposed plan to Board of Estimates.*

At least 2 months before the start of a new fiscal year, the Board of Directors must submit its proposed financial plan and all background material to the Board of Estimates for its review and approval.

(d) *Annual report.*

Within 6 months after the end of each fiscal year, the Authority must publish and make available to the public an annual report that summarizes, in a non-technical, readable format:

- (1) the Authority's activities during the preceding fiscal year;
- (2) the Authority's future plans ; and
- (3) the Authority's consideration and use of demand management strategies and the effectiveness of those strategies in reducing the need for new parking.

(Ord. 00-071.)

**§ 13-12. Deposit of funds; audits and examinations; financial statement.**

(a) *Deposits.*

The Authority's treasurer must deposit and invest all moneys received by the Authority in one or more financial institutions, consistent with the requirements of State Code Article 95, § 22F {"Local government investment guidelines"}.

(b) *Audits.*

- (1) The Authority must:
  - (i) maintain adequate books and records; and

(ii) within 90 days after the end of each fiscal year, prepare audited financial statements in accordance with generally accepted governmental accounting principles.

(2) A copy of the audited financial statements must be delivered to the Mayor, the President of the City Council, and the Board of Estimates.

(c) *Examination by Board of Estimates.*

The Board of Estimates may examine, at any time, the Authority's books, accounts, and records. (Ord. 00-071.)

### **§ 13-13. Tax exemption.**

To the fullest extent permitted under the Enabling Act, all of the Authority's property is exempt from taxation of every kind and nature whatsoever. (Ord. 00-071.)

### **§ 13-14. Borrowing.**

(a) *In general.*

(1) Subject to the requirements of this section, the Authority may engage in borrowings in furtherance of its purposes and powers.

(2) No borrowing may involve the issuance by the Authority of any public bonds.

(b) *Security for a borrowing.*

The Authority may secure any borrowing to the fullest extent permitted by the Enabling Act.

(c) *Required approvals.*

(1) Each borrowing must be approved by resolution of the Authority's Board of Directors in accordance with the procedures in the Enabling Act for the approval of revenue bonds.

(2) Each borrowing must also be approved by the Board of Estimates and the Board of Finance, which approval must specify all material matters with respect to the borrowing (e.g., issue date, maturity, interest rate, terms, form, denominations, manner of execution, place of payment, redemption, refunding, and security provided).

(Ord. 00-071.)

### **§ 13-15. Compliance with other City laws and regulations.**

(a) *Building, zoning, and similar requirements.*

Any parking project developed by the Authority must be built under the laws, rules, and regulations of the City. The Authority must obtain all building, zoning, and other similar permits, where required, and must pay all applicable permit fees.

(b) *Historical and architectural preservation.*

For any parking project on or proposed for a site that is in an Historical and Architectural Preservation District or that is on a Landmark List or Special List, the Authority must comply with all requirements of City Code Article 6 {"Historical and Architectural Preservation"}.

(c) *Minority and Small Business Opportunity Program.*

The Authority is subject to and must comply with the City's Minority and Small Business Opportunity Program.

(Ord. 00-071.)

**SUBTITLES 14 TO 15**  
***{RESERVED}***

**SUBTITLE 16**  
**USE-OF-THE-ROAD REGULATIONS**

***PART 1. OBSTRUCTING TRAFFIC***

**§ 16-1. Slowly moving vehicles.**

Vehicles moving slowly along streets having no car tracks shall keep as close as practicable to the curb line on the right so as to allow faster moving vehicles free passage on the left.  
(*City Code, 1927, art. 4, §43; 1950, art. 38, §35; 1966, art. 31, §47; 1976/83, art. 31, §36.*) (Ord. 08-139.)

**§ 16-2. Snow tires on public passenger vehicles.**

(a) *Winter-type mud and snow tire defined.*

For the purposes of this section, a winter-type mud and snow tire is any new, recapped, retreaded, or rebuilt tire for the rear wheels of motor vehicles or trackless trolleys having anti-skid patterns impressed or cut into the treaded surfaces to form bars, buttons, or blocks which may contain perforations, ingredients, or metallic elements specially designed to give effective traction on snow-, mud-, or ice-covered streets; and which tire is subject to approval as to type and condition by the Director of Public Works.

(b) *When required.*

It is unlawful for any non-fixed wheel vehicle for the public transportation of passengers for a fee or charge, including the vehicles commonly referred to as buses, trackless trolley, and taxicabs, to be or operate on any street or public place in Baltimore City during the period in any year commencing on November 1 and ending on the following April 1 without being properly equipped with winter-type mud and snow tires.

(c) *Penalties.*

Any person, firm, or corporation violating the provisions of this section shall be subject to the general penalties provided in this article, and a violation as to each and every vehicle is a separate violation.  
(*City Code, 1966, art. 31, §86; 1976/83, art. 31, §62.*) (Ord. 58-1226.)

**§ 16-3. Obstructions by certain public passenger vehicles for want of chains or snow tires.**

(a) *Director to regulate.*

The Director of Public Works is authorized and empowered to adopt and promulgate rules and regulations whereby he may require that, whenever certain named streets in Baltimore City are covered or partially covered with snow, sleet, or freezing rain, no non-fixed wheel vehicle for the public transportation of 10 or more people shall operate thereon in such manner as to stall or impede or obstruct traffic, when such stalling, impeding, or obstructing is caused by the failure to equip the vehicle with effective skid chains or effective snow tread tires.

(b) *Penalties.*

(1) Every separate stalling, impeding, or obstructing on such named streets and in violation of any applicable such rules or regulation, shall be considered a separate offense.

(2) Upon conviction thereof, the person, firm, or corporation which owns and/or manages the public transportation business in which the particular vehicle is operated shall be subject to a fine of not exceeding \$50 for each and every offense.

(City Code, 1966, art. 31, §85; 1976/83, art. 31, §61.) (Ord. 54-944.)

**§ 16-4. Obstructing railroad tracks.**

(a) *Morning hours.*

Between the hours of 6 a.m. and 7:30 a.m., no vehicle shall be placed to load thereon or unload therefrom in which the rails of any railroad or street railway company are laid, so as to obstruct or hinder the passing of cars of any such railroad or street railway.

(b) *Other times.*

Nor at any other time shall any such vehicle be permitted to obstruct such tracks for a longer period than may be reasonably necessary for the purpose of loading or unloading said vehicle.

(City Code, 1927, art. 4, §110; 1950, art. 38, §62; 1966, art. 31, §74; 1976/83, art. 31, §54.) (Ord. 21-664.)

**§ 16-5. Repairing vehicles on streets.**

(a) *Prohibited conduct.*

(1) It shall be unlawful for any person to make any repairs to a motor vehicle or to replace or repair any tire or other part of a motor vehicle on any public street where the standing of such vehicle or vehicles will wholly or partially obstruct any lane of traffic.

(2) It shall be unlawful for any vehicle in the process of being repaired or waiting to be repaired or any vehicle on which a tire or other part thereof is being replaced or waiting for a tire or other part thereof to be replaced to stand double or to do any work or place any tools or equipment on any sidewalk in connection with the repair of any vehicle or the replacement or repair of any tire or other part thereof.

(b) *Emergency repairs excepted.*

The provisions of this section shall not apply to emergency repairs, which are defined as repairs necessary as the result of an unexpected malfunction or breakdown and which are necessary in order to move the vehicle safely and without damage to same.

(c) *Penalties.*

Any person violating any of the provisions of this section shall be subject to:

(1) a penalty of not less than \$5 or more than \$25 for the 1<sup>st</sup> offense; and

(2) a fine of not less than \$25 nor more than \$100 for subsequent offenses.

(*City Code, 1950, art. 24, §36; 1966, art. 19, §72; 1976/83, art. 19, §84.*) (*Ord. 46-657; Ord. 47-814; Ord. 74-527.*)

**§§ 16-6 to 16-10. {Reserved}**

***PART 2. INTERSECTIONS, CROSSWALKS, SIDEWALKS***

**§ 16-11. Vehicles entering intersection or crosswalk.**

(a) *In general.*

It shall be unlawful for the driver of any vehicle to enter a street intersection or a marked crosswalk or to drive across a sidewalk in entering or leaving a garage or parking lot unless there is sufficient space beyond the intersection or crosswalk on the right half of the roadway or in the garage or on the parking lot to accommodate the vehicle he is driving or operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

(b) *Exception for 1-way streets.*

Except that on a 1-way street, drivers shall not be restricted to the use of the right half of the road but may have access to the entire width thereof beyond the intersection or crosswalk provided sufficient space be available.

(*City Code, 1950, art. 38, §46; 1966, art. 31, §59; 1976/83, art. 31, §53.*) (*Ord. 56-692.*)

**§ 16-12. Vehicles on sidewalk.**

(a) *Prohibited conduct.*

No person may back, draw, move, propel, drive, or operate any motor vehicle of any kind or any vehicle of any kind that is drawn by a horse or mule on or over any sidewalk or curbing of the City unless:

(1) the curbing is lowered to grade and the sidewalk so paved and arranged as to allow the passage of these vehicles; or

(2) the person has special permission to do so from the Director of Public Works.



(b) *Enforcement by citation.*

(1) In addition to any other civil or criminal remedy or enforcement procedure, this section may be enforced by issuance of:

(i) an environmental citation under City Code Article 1, Subtitle 40 {"Environmental Control Board"}; or

(ii) a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

(2) The issuance of a citation to enforce this section does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(c) *Penalties.*

Any person who violates any provision of this section is guilty of a misdemeanor, and on conviction, is subject to a fine of not more than \$100 for each offense.

(*City Code, 1893, art. 48, §138; 1927, art. 32, §52; 1950, art. 24, §96; 1966, art. 19, §135; 1976/83, art. 19, §160.*) (*Ord. 1885-033; Ord. 26-756; Ord. 45-267; Ord. 77-573; Ord. 99-548.*)

**§ 16-13. Vehicles on sidewalk, crosswalk, or intersection.**

(a) *Prohibited conduct.*

It shall not be lawful for any public cartman, or for any person driving or having charge of any public cart, wagon, or other vehicle, to:

(1) drive or back any such public cart or any other cart, wagon, or other vehicle on to the sidewalk of any of the streets of said City, except as hereinafter provided;

(2) stop any such cart, or any other vehicle, on any of the crosswalks or intersections of streets so as to obstruct or hinder the travel along such crosswalks or intersections of street; or

(3) place any such carts or other vehicles crosswise of any street of said city except to load thereon or unload therefrom, but in no case shall it be lawful for any person to permit such cart or other vehicle to remain so crosswise of any street for a longer period than may be actually necessary for such purposes.

(b) *Exception.*

But it shall be lawful for the owner or occupant of any store, warehouse, or building in any street or avenue in which the rails of any railroad company are laid so close to the curbstones as to prevent the owners or occupants from keeping any such cart or other vehicle in the carriageway in front of his place of business without interference with the passing cars of any such railroad company, to occupy with such cart or other vehicle during business hours so much of the sidewalk as may be necessary for such cart or other vehicle, provided that sufficient space be

retained for the passage of pedestrians between the cart or other vehicle so permitted to occupy such portion of the sidewalk and the front of every such store, warehouse, or other building. (*City Code, 1927, art. 4, §3; 1950, art. 38, §33; 1966, art. 31, §45; 1976/83, art. 31, §34.*) (*Ord. 08-139.*)

#### **§ 16-14. Vehicles or horses on sidewalk.**

No horse or vehicle shall be driven, backed, led, or allowed to stand on any sidewalk, or on any driveway across a sidewalk, whether with or without curbs, except that wares or merchandise in process of loading and unloading, shipment, or being received from shipment, may be transferred from trucks or other vehicles over the sidewalk by the use of skids, provided a passageway be kept open for the free passage of pedestrians. (*City Code, 1927, art. 4, §53; 1950, art. 38, §34; 1966, art. 31, §46; 1976/83, art. 31, §35.*) (*Ord. 08-139; Ord. 55-1428.*)

#### **§§ 16-15 to 16-20. {Reserved}**

### **PART 3. SCHOOLS**

#### **§ 16-21. School crossing guards.**

##### *(a) Compliance with directions. required.*

The driver of every vehicle and the operator of every street car and trackless trolley on the streets and public ways of this City shall comply with any lawful order or direction of any school crossing guard vested with authority by the Police Commissioner to direct, control, or regulate pedestrian or vehicular traffic.

##### *(b) Penalties.*

Any person failing to comply with any such lawful order or direction or in any other manner violating the provisions of this section, shall be subject to a fine not to exceed \$100 for each offense. (*City Code, 1966, art. 31, §97; 1976/83, art. 31, §73.*) (*Ord. 53-793.*)

#### **§ 16-22. School roadways.**

##### *(a) Subject to traffic rules.*

Where the Board of School Commissioners and the Director of Public Works jointly designate particular public school properties, the roadways on such properties which are open to the use of the public, upon the placing of appropriate traffic-control devices thereon, are hereby made subject to the same vehicle and traffic laws, rules, and regulations that apply from time to time to highways within the City of Baltimore.

##### *(b) Section not a dedication.*

Nothing herein contained shall be construed as dedicating the aforementioned roadways by the City or as meaning that any City or State agency other than the Department of Education of the

City of Baltimore shall defray or aid in defraying the costs of maintaining or marking the roadways.

(*City Code, 1976/83, art. 31, §74.*) (*Ord. 72-207.*)

**§ 16-23. {Repealed}**

**Editor's Note:** Ordinance 04-854 repealed former § 16-23 {"Selling food near schools"} and rewrote City Code Article 15, Subtitle 17, to include a similar provision.

**§§ 16-24 to 16-25. {Reserved}**

***PART 4. MOTORCYCLES***

**§ 16-26. Helmets required.**

Every person who is driving, or riding on as a passenger, a moving motor-driven 2- or 3-wheel vehicle known generally as a motorcycle or motor bike shall at such time be wearing a firm and durable protective helmet or headgear.

(*City Code, 1976/83, art. 31, §39(a).*) (*Ord. 68-250.*)

**§ 16-27. Safety goggles required.**

Every person who is driving, or riding on as a passenger, a moving motor-driven 2- or 3-wheel vehicle known generally as a motorcycle or motor bike shall at all times be wearing safety goggles or a face shield approved by the Director of Public Works.

(*City Code, 1976/83, art. 31, §39(b).*) (*Ord. 68-250.*)

**§ 16-28. Must be able to achieve top legal speed.**

No person shall operate a motor-driven 2- or 3-wheel vehicle known generally as a motorcycle or motor bike on the streets or highways of Baltimore City unless its speed capability is at least equal to the posted speed limit on said highway.

(*City Code, 1976/83, art. 31, §39(c).*) (*Ord. 68-250.*)

**§ 16-29. Penalties.**

A violation of any provision of this subtitle is a misdemeanor, punishable upon conviction by a fine of not less than \$10 or more than \$100 for each such violation.

(*City Code, 1976/83, art. 31, §39(d).*) (*Ord. 68-250.*)

**§ 16-30. {Reserved}**

**PART 5. FUNERAL PROCESSIONS****§ 16-31. Crossing procession prohibited.**

It shall be unlawful for any person to drive any vehicle across the line of a funeral procession in the streets, lanes, or alleys of the City, under a penalty for each and every offense of \$2.  
(*City Code, 1879, art. 8, §24; 1893, art. 8, §24; 1927, art. 4, §112; 1950, art. 38, §38; 1966, art. 31, §50; 1976/83, art. 31, §37.*) (Rev. Ords. 1858-032; Ord. 75-920.)

**§§ 16-32 to 16-35. {Reserved}****PART 6. PEDESTRIANS****§ 16-36. Pedestrian right-of-way.****(a) In general.**

The driver of a vehicle shall yield the right-of-way, slowing or stopping if need be, in order to yield to a pedestrian lawfully crossing a roadway within a crosswalk when:

- (1) the pedestrian is upon the half of the roadway upon which the vehicle is traveling; or
- (2) the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger from the vehicle.

**(b) Turning vehicle.**

The driver of a vehicle making a right or left turn shall yield the right-of-way, slowing or stopping if need be, in order to yield to a pedestrian lawfully crossing a roadway within a crosswalk when:

- (1) the pedestrian is upon the half of the roadway upon which said turning vehicle is entering, or
- (2) the pedestrian is approaching so closely from the half of the roadway opposite to that upon which said turning vehicle is entering as to be in danger from the vehicle.

**(c) Pedestrian's duty.**

A pedestrian shall not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield as otherwise required in this section.

(*City Code, 1976/83, art. 31, §69(a), (c).*) (Ord. 68-187.)

**§ 16-37. Emergency vehicles right-of-way.**

Pedestrians shall yield the right-of-way to authorized emergency vehicles provided that these vehicles are operating with siren and/or bell.

(City Code, 1976/83, art. 31, §69(b).) (Ord. 68-187.)

**§ 16-38. Crosswalks.**

(a) *Overtaking stopped vehicle prohibited.*

If a vehicle is stopped at a marked or unmarked crosswalk to permit a pedestrian to cross a roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

(b) *Obstructing crosswalk prohibited.*

No person shall stop or park any vehicle in such manner as to obstruct a crosswalk.

(City Code, 1976/83, art. 31, §69(d).) (Ord. 68-187.)

**§ 16-39. “Walk/Don’t Walk” signals.**

(a) *“Walk” signal.*

While a “Walk” signal indication is displayed:

- (1) pedestrians may proceed across the roadway toward said indication within any marked or unmarked crosswalk; or
- (2) where an exclusive all-pedestrian interval is provided, pedestrians may proceed across the roadway in any direction within the intersection.

(b) *“Wait” or “Don’t Walk” signal — pedestrian not yet on roadway.*

- (1) While a “Wait” or “Don’t Walk” signal indication, whether flashing or steady, controlling their direction of travel is displayed, pedestrians shall not enter the roadway.
- (2) In the case of an exclusive all-pedestrian interval, pedestrians shall not enter a roadway while any “Wait” or “Don’t Walk” signal indication, whether flashing or steady, is displayed.
- (3) This provision is to be effective between the hours of 7 a.m. and 7 p.m. only.

(c) *“Wait” or “Don’t Walk” signal — pedestrian already on roadway.*

Any pedestrian who has entered an intersection on the “Walk” signal indication shall proceed without delay to a sidewalk or safety zone while the “Wait” or “Don’t Walk” signal indication is showing.

(City Code, 1976/83, art. 31, §69(e).) (Ord. 68-187.)

**§ 16-40. Controlled access highways.****(a) “Controlled access highway” defined.**

For the purpose of this section, “controlled access highway” shall mean every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway.

**(b) Entry by pedestrian prohibited.**

No pedestrian shall be permitted to enter upon any controlled access highway nor any ramp or access road leading to or from any controlled access highway.

**(c) Leaving vehicle prohibited absent emergency.**

(1) No pedestrian shall debark from any vehicle proceeding upon any controlled access highway nor any ramp or access road leading to or from any controlled access highway except under emergency circumstances which preclude the possibility that the vehicle in which he is riding proceed in a reasonable and proper manner.

(2) In such case, said pedestrian may proceed only to the nearest emergency telephone. He may not solicit a ride or assistance from any passing vehicle.

(City Code, 1976/83, art. 31, §69(f).) (Ord. 68-187.)

**§ 16-41. Solicitation on highways.****(a) Prohibited conduct — in general.**

No person shall stand within a highway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle or for the purpose of presenting a gift to or performing a service, whether gratuitous or for a fee, for the occupant of a vehicle.

**(b) Prohibited conduct — parents or guardians of minors.**

No parent or guardian shall knowingly permit any minor under the age of 18 years to violate the provisions of subsection (a) of this section.

**(c) Exception.**

This section does not prohibit the solicitation by any person for lawful employment or business from the occupant of any vehicle which is properly and lawfully parked or properly and lawfully standing out of the free flow of traffic.

**(d) Enforcement — adult offenders.**

(1) A police officer who finds any person 18 years of age or older violating provisions of subsection (a) of this section shall order the person to cease and desist. Persons failing to

comply with this order may be issued a citation containing their signed promise to pay the fine provided or to appear in court for trial.

(2) The officer is not required to take the person into physical custody for the violation unless:

- (i) the person charged does not furnish satisfactory evidence of identity; or
- (ii) the officer has reasonable grounds to believe the person charged will disregard a written promise to appear.

(3) A person receiving a citation under this section shall pay the fine provided for in the citation to the District Court of Maryland for Baltimore City, or stand trial for the violation.

(e) *Enforcement — minors.*

(1) A police officer who finds any person under 18 years of age violating provisions of subsection (a) of this section shall order the person to cease and desist.

(2) Any person under 18 years of age who fails to comply with this order:

- (i) may be taken into custody; and
- (ii) subsequent to recording information necessary to carry out the purposes of this section, shall be promptly released to their parent or guardian.

(3) The released person under 18 years of age shall be referred to the Baltimore City Police Department's court sanctioned pre-intake adjustment program.

(f) *Penalties.*

(1) Any parent or guardian who shall violate subsection (b) of this section after having received written notice of their child or ward having committed a violation of subsection (a) occurring within the preceding 12 months, may receive a written citation and is subject to a fine of \$50 for each offense.

(2) Any person 18 years of age or older violating the provisions of subsection (a) of this section after being ordered to cease and desist is guilty of a misdemeanor and, upon conviction, shall be fined \$50.

(City Code, 1976/83, art. 31, §69(g), (j).) (Ord. 68-187; Ord. 85-449.)

**§ 16-42. Control of traffic by officers.**

Nothing in this subtitle affects or limits the right of police officers or school crossing guards to control vehicular and pedestrian traffic in cases of emergency, special events, or other unusual traffic conditions.

(City Code, 1976/83, art. 31, §69(h).) (Ord. 68-187; Ord. 85-449.)

**§ 16-43. Exercise of due care.**

In addition to the foregoing provisions of this subtitle, every driver of a vehicle shall:

(1) exercise due care to avoid colliding with any pedestrian upon any highway; and

(2) exercise proper precautions upon observing any child or confused or incapacitated person upon a highway.

(City Code, 1976/83, art. 31, §69(i.)) (Ord. 68-187; Ord. 85-449.)

**§ 16-44. Pedestrian traffic safety.**

The Director of Public Works shall:

(1) identify intersections commonly used by persons, such as the elderly or disabled, who may need extra time to cross an intersection;

(2) conduct studies of those intersections, using pedestrian accident statistics, direct observation, or other sources of information, to determine the need for extra time for pedestrian crossing and the length of time needed; and

(3) wherever feasible, reset the timing of traffic signals or make other adjustments to the intersection to accommodate the need for extra time for pedestrian crossing.

(City Code, 1976/83, art. 31, §69A.) (Ord. 95-589.)

**§ 16-45. {Reserved}****PART 7. BUSES; TRANSIT LOADING ZONES****§ 16-46. Maximum outside width.**

Pursuant to the provisions of § 24-102(d) of the State Transportation Article, the operation within the corporate limits of Baltimore City of a motor bus or trackless trolley with a maximum outside width of not to exceed 102 inches is permitted.

(City Code, 1966, art. 31, §32; 1976/83, art. 31, §21.) (Ord. 52-242.)

**§ 16-47. Maintenance of stops.**

(a) *Company to maintain.*

(1) The Company or companies operating public passenger vehicles, trackless trolleys, or street railway cars discharging passengers within Baltimore City at bus, trackless trolley, or street railway car "Stops" heretofore or hereafter established, by public motor vehicles, trackless trolleys, or by street railway cars upon fixed routes shall, at its or their expense, maintain at each "Stop" the area or space of ground within the footway area of the streets adjacent to or within said "Stops" designated and approved by the Director of Public Works in a manner and with material approved by the Director of Public Works for the protection, safety, health, and welfare of the public of Baltimore City.



- (2) All markings, paintings or postings of transit loading zones shall be done and maintained at the entire expense of the agency operating-the mass transit vehicles.

(b) *Work by City on noncompliance.*

- (1) Upon the failure of any company or companies operating public passenger motor vehicles, trackless trolleys, or street railway cars receiving and discharging passengers within Baltimore City at bus, trackless trolley, or street railway car “Stops” heretofore or hereafter established, by public motor vehicles, trackless trolleys, or by street railway cars upon fixed routes, at its or their expense, to maintain at each “Stop” the area or space of ground within the footway area of the streets adjacent to or within said “Stops” designated and approved by the Director of Public Works City in a manner satisfactory to the Director of Public Works after written notice from the Director of Public Works, the Director of Public Works is hereby authorized and directed to place said area or space in a safe and satisfactory condition and to charge the cost thereof to company or companies in default.

- (2) The Mayor and City Council of Baltimore is hereby authorized to recover, by suit or action at law, from the company or companies in default the cost of the work necessary to place said “Stops” in a satisfactory condition.

(City Code, 1966, art. 31, §31; 1976/83, art. 31, §20.) (Ord. 55-1379; Ord. 75-920.)

**§§ 16-48 to 16-50. {Reserved}**

**PART 8. TRUCKS**

**§ 16-51. Prohibited on certain streets.**

No trucks and no tractor-trailer or tractor-semitrailer combination with a registered maximum gross weight in excess of 39,000 pounds shall be permitted to use or traverse in any way:

- (1) Odell Street between Hilltop Avenue and the northerly end of Odell Street; or

- (2) Woodruff Street between Hilltop Avenue and the northerly end of Woodruff Street.

(City Code, 1976/83, art. 31, §84.) (Ord. 68-101.)

**§§ 16-52 to 16-55. {Reserved}**

**PART 9. TAXICABS**

**§ 16-56. Passengers discharged at curb.**

- (a) *Prohibited conduct.*

It is unlawful for the operator of any taxicab to take on or discharge passengers except at the curb of any street, lane, alley, or other public way, unless no reasonably adequate space at the curb is available therefor.

(b) *Penalties.*

Any person violating the provisions of this section shall be subject to a penalty of not exceeding \$10 for each and every such violation.  
(*City Code, 1976/83, art. 31, §80.*) (*Ord. 75-896.*)

**§ 16-57. Cab stands — standing by others prohibited.**

(a) *“Taxicab” defined.*

Only those vehicles licensed as taxicabs by the Public Service Commission of the State of Maryland shall be deemed to be a taxicab within the meaning of this section.

(b) *Standing by others prohibited.*

No vehicle, other than taxicabs, shall be permitted to stand at any time in the places in the City of Baltimore set aside and designated by the Director of Public Works, to be occupied and used as public or private stands for taxicabs.

(c) *Standing by taxicabs.*

But nothing in this section shall be construed to authorize any taxicab to stand in any place so designated during the hours when parking is prohibited at such location, except where such taxicab stands have been established at hotels.

(d) *Penalties.*

Any person violating the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction, forfeit and pay a fine of not exceeding \$10.  
(*City Code, 1976/83, art. 31, §81.*) (*Ord. 75-896.*)

**§ 16-58. Cab stands — nondiscriminatory use by taxicabs.**

(a) *No company exclusive.*

Any spaces heretofore or hereafter designated by the Director of Public Works as taxicab stands in front of hotels and other places shall not be for the exclusive use of the person, firm, or corporation given such permit, but shall be open to any person operating a taxicab, who shall have equal rights to enter such spaces and secure or solicit patrons.

(b) *Penalties for interfering.*

Any person interfering with any taxicab operator in entering or standing in such places shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a penalty of not more than \$100 for each such violation.  
(*City Code, 1976/83, art. 31, §82.*) (*Ord. 75-896.*)

**§§ 16-59 to 16-60. {Reserved}**

***PART 10. HORSES, CARRIAGES, ETC.*****§ 16-61. General prohibitions.****(a) *Prohibited conduct.*****(1) No person shall:**

- (i) sit or stand in or upon any carriage, or any horse or beast harnessed thereto, in order to drive the same, unless he shall have strong reins or lines fastened to the bridle of his beasts and held in his hands, sufficient to guide and restrain them;
- (ii) while driving any carriage, or riding any horse, mare, gelding, or other beast in or through the said City, permit or suffer the beast or beasts he shall so ride or drive to go at an immoderate gait;
- (iii) turn any horse, mare, or gelding loose within the City or drive such horse, mare, or gelding loose through any of the streets, lanes, or alleys of the said City; or
- (iv) drive, lead, or place any horse or beast of burden, or any horse attached to a cart, dray, or other carriage, laden or unladen, on any of the footways of the City.

- (2) And all porters, carters, and other persons having the care of any carriage who shall not hold reins in their hands to guide or restrain their beasts, shall walk by the head of the shaft or wheel-horse, holding, or within reach of the bridle or halter of the said horse.

**(b) *Exception.***

Provided that nothing herein contained shall prevent any person from riding, driving, or leading across any of the footways any horse or beast of burden into or out of any lot or tenement.

**(c) *Penalties.***

Every person offending in any or either of the cases aforesaid shall forfeit and pay for every such offense a sum not exceeding \$20.

(*City Code, 1879, art. 8, §3; 1893, art. 8, §3; 1927, art. 4, §3; 1950, art. 38, §31; 1966, art. 31, §43; 1976/83, art. 31, §32.*) (*Rev. Ords. 1858-032.*)

**§ 16-62. Speed.****(a) *Prohibited conduct.***

It shall be unlawful for any person to ride on horseback on any street, alley, or highway, or over any bridge other than those on bridle paths in the parks, within the City limits, at a gait other than a walk.

(b) *Exception.*

Provided, however, that the provisions of this section shall not apply to police or military officers or employees when engaged in the performance of their duties.  
(*City Code, 1976/83, art. 31, §78.*)

**§ 16-63. Horse racing.**

Any rider of any horse, mare, or gelding, and any driver of any vehicles engaged in any contest of speed, within the limits of the City, shall be subjected to a fine of \$20.  
(*City Code, 1879, art. 8, §7; 1893, art. 8, §7; 1927, art. 4, §7; 1950, art. 38, §32; 1966, art. 31, §44; 1976/83, art. 31, §33.*) (*Rev. Ords. 1858-032.*)

**SUBTITLE 17**  
**NO-CRUISE DISTRICT**

**§ 17-1. Definitions.**

(a) *In general.*

In this subtitle, the following words have the meanings indicated.

(b) *Cruising.*

“Cruising” means driving a motor vehicle on a street past a traffic control point more than once in any 2-hour period.

(c) *District.*

“District” means the No-Cruising District described in § 17-4 of this subtitle.

(d) *Traffic control point.*

“Traffic control point” means a clearly identified reference point in the No-Cruising District as determined and marked by the Police Department.

(City Code, 1976/83, art. 31, §164.) (Ord. 97-169.)

**§ 17-2. Findings; purpose.**

(a) *Findings.*

The Mayor and City Council find that unnecessary repetitive driving in the area designated the “No-Cruising District” creates a threat to the public health, safety, and welfare.

(b) *Purpose.*

The purpose of this subtitle is:

(1) to reduce dangerous traffic congestion, excessive noise, littering, and pollution; and

(2) to ensure access for emergency vehicles in the designated area.

(City Code, 1976/83, art. 31, §162.) (Ord. 97-169.)

**§ 17-3. Exceptions.**

The prohibitions of this subtitle do not apply to:

(1) any municipal, emergency, police, fire, ambulance, or other governmental vehicle when it is operated in its official capacity;

(2) any licensed public transportation vehicle; or

(3) any vehicle when it is operated for business or commercial purposes.  
(*City Code, 1976/83, art. 31, §163.*) (*Ord. 97-169.*)

#### **§ 17-4. Boundaries of District.**

The No-Cruising District is the area bounded by and including:

- (1) Franklin Street on the north;
- (2) Liberty Street and Hopkins Place on the east;
- (3) Lombard Street on the south; and
- (4) Greene Street on the west.

(*City Code, 1976/83, art. 31, §165.*) (*Ord. 97-169.*)

#### **§ 17-5. Prohibited conduct**

(a) *Cruising.*

(1) A person may not cruise in the District between the hours of:

- (i) 10 p.m. Friday and 5 a.m. Saturday;
- (ii) 10 p.m. Saturday and 5 a.m. Sunday; or
- (iii) 10 p.m. Sunday and 5 a.m. Monday.

(2) The prohibition specified in paragraph (1) of this subsection applies to both:

- (i) the operator of the vehicle; and
- (ii) the owner, if present, or, if the owner is not present, any person present who has the owner's permission to use the vehicle.

(b) *Stopping, etc.*

A person may not stop, stand, or park a vehicle on a street in the District between the hours of:

- (1) 10 p.m. Friday and 5 a.m. Saturday;
- (2) 10 p.m. Saturday and 5 a.m. Sunday; or
- (3) 10 p.m. Sunday and 5 a.m. Monday.

(*City Code, 1976/83, art. 31, §166.*) (*Ord. 97-169.*)

**§ 17-6. Posting.**

The Director of Public Works shall post signs in the District that specify the hours during which cruising, stopping, standing, and parking are prohibited.  
(*City Code, 1976/83, art. 31, §167.*) (*Ord. 97-169.*)

**§ 17-7. Penalties.**

(a) *Cruising.*

- (1) A person who violates § 17-5(a) of this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$200.
- (2) Violations of § 17-5(a) of this subtitle may be enforced by citation under Maryland Rule 4-201(b)(3).

(b) *Stopping. etc.*

A person who violates § 17-5(b) of this subtitle is guilty of a parking violation punishable by a fine of \$50.  
(*City Code, 1976/83, art. 31, §168.*) (*Ord. 97-169.*)

**SUBTITLE 18  
BICYCLES****§ 18-1. “Bicycle” defined.**

For the purposes of this subtitle, a bicycle is defined as a mechanical device, propelled by human power and having 2 tandem wheels.

*(City Code, 1966, art. 31, §11; 1976/83, art. 31, §10.) (Ord. 58-1352; Ord. 69-469.)*

**§ 18-2. Removing, etc., identification number.**

It is unlawful for any person, wilfully or maliciously, to remove, destroy, mutilate, or alter the number on any bicycle frame or sprocket.

*(City Code, 1966, art. 31, §18; 1976/83, art. 31, §11.) (Ord. 58-1352; Ord. 69-469.)*

**§ 18-3. Rules and regulations.**

The Police Department of Baltimore City is authorized and empowered, by reasonable rules and regulations not inconsistent with the provisions of this subtitle, to provide for its administration and enforcement.

*(City Code, 1966, art. 31, §21; 1976/83, art. 31, §12.) (Ord. 58-1352.)*

**§ 18-4. Impounding bicycles.**

(a) *Holding period.*

A bicycle which is impounded and possessed by the Police Department under the provisions of law shall be held by the Department for at least 45 days during which time efforts shall be made to locate the owner thereof.

(b) *Subsequent disposition.*

(1) At any time following the end of such period, and if the owner cannot be located or ascertained, the Department is authorized and empowered to dispose of the bicycle.

(2) The bicycle may be:

(i) given to any charitable, nonprofit, or eleemosynary agency or institution in Baltimore City; or

(ii) in the discretion of the Department, disposed of at a public sale, at least 3 days' notice of which shall have been given to the public.

(3) In the latter event, the proceeds of the sale shall be paid into the special fund constituted by § 16-19 of the Public Local Laws of Baltimore City.

*(City Code, 1966, art. 31, §22; 1976/83, art. 31, §13.) (Ord. 58-1352; Ord. 69-469; Ord. 76-011.)*



**§ 18-5. Night riding.**

It is unlawful for any person to propel a bicycle upon any of the streets, lanes, alleys, or public ways of this City at night, unless it is provided with a head lamp and with a rear lamp or reflector.  
(*City Code, 1966, art. 31, §23; 1976/83, art. 31, §14.*) (*Ord. 58-1352.*)

**§ 18-6. Coasting; trick riding.**

It is unlawful for any person riding a bicycle on any of the streets, lanes, alleys, or public ways of this City:

- (1) to coast by inertia or momentum without having both feet on the pedals;
- (2) to ride without at least 1 hand firmly gripping the handlebars;
- (3) to perform any trick or fancy riding; or

(4) to ride in any manner so as not to have the bicycle under control.  
(*City Code, 1966, art. 31, §24; 1976/83, art. 31, §15.*) (*Ord. 58-1352.*)

**§ 18-7. 2 riders prohibited.**

It is unlawful for more persons than 1 to be on a bicycle simultaneously while it is in motion on any of the streets, lanes, alleys, or public ways of this City.  
(*City Code, 1966, art. 31, §25; 1976/83, art. 31, §16.*) (*Ord. 58-1352.*)

**§ 18-8. Riding on sidewalk.**

(a) *Riding prohibited.*

It is unlawful for any person to ride a bicycle on any sidewalk or footway of this City.

(b) *Walking, standing permitted.*

However, when dismounted and on foot, a person may:

- (1) lead the bicycle on a sidewalk or footway in a manner that does not obstruct the sidewalk or footway; and
- (2) allow the bicycle to remain standing on the sidewalk or footway in a manner that does not obstruct the sidewalk or footway.

(c) *Enforcement by citation.*

- (1) In addition to any other civil or criminal remedy or enforcement procedure, this section may be enforced by issuance of a civil citation under City Code Article 1, Subtitle 41 {“Civil Citations”}.

(2) The issuance of a civil citation to enforce this section does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.  
(*City Code, 1966, art. 31, §26; 1976/83, art. 31, §17.*) (*Ord. 58-1352; Ord. 04-683.*)

**§ 18-9. {Reserved}**

**§ 18-10. Penalties.**

(a) *Violation of § 18-2.*

Any person violating § 18-2 {"Removing, etc., identification number"} of this subtitle shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$100 or imprisoned for not more than 3 months, or both fined and imprisoned, in the discretion of the court.

(b) *Violation of other sections.*

Any person violating any other provision of this subtitle shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not exceeding \$10 for each such offense.

(c) *Juvenile offenders.*

The laws relating to control and punishment of persons under 16 years of age shall apply, in all respects, to a violation of this subtitle by any such person.  
(*City Code, 1966, art. 31, §27; 1976/83, art. 31, §18.*) (*Ord. 58-1352; Ord. 69-469.*)

**SUBTITLE 19**  
**GRADE CROSSINGS**

**§ 19-1. Administration of subtitle.**

(a) *Director to enforce.*

The Director of Public Works is hereby authorized, empowered and directed to enforce the provisions of this subtitle.

(b) *Rules and regulations.*

The Director of Public Works is hereby authorized and empowered to adopt and promulgate such procedural rules and regulations as may be necessary or proper to carry out the intent and purpose of this subtitle.

(City Code, 1976/83, art. 31, §§46, 49.) (Ord. 75-919.)

**§ 19-2. Safety devices required.**

In order to protect the health, safety, and security of the public at locations within the boundary lines of the City of Baltimore, now or as hereafter existing, where the tracks of any railroad company cross a public street at grade, the railroad company shall install and maintain at such crossing one of the types of signaling, warning, or safety devices, in the manner, of the type, and as required under and in accordance with the provisions of § 19-3 hereof.

(City Code, 1976/83, art. 31, §45.) (Ord. 75-919.)

**§ 19-3. Implementation.**

(a ) *Notice of needed protection.*

Whenever and wherever the Director of Public Works determines, after adequate investigation and consultation with the railroad, that the crossing of a public street or highway at grade by the track or tracks of such railroad in the City of Baltimore creates a condition that reasonably requires more adequate protection in addition to that already provided by the railroad, if any, he shall:

- (1) notify in writing the railroad company owning or operating over said tracks at the particular location of his finding that said crossing reasonably requires further protection; and
- (2) order the railroad company either:
  - (i) to erect or install and maintain at the crossing:
    - (A) automatic gates;
    - (B) automatic flashing lights; or

(C) appropriate warning signs,

(ii) to provide train crew protection, or

(iii) any combination of these.

(b) *Contents of notice.*

Every such notice issued by the Director of Public Works shall set forth in writing:

- (1) the pertinent facts relative to the particular location;
- (2) the requirements which must be complied with by the railroad;
- (3) the reasons for said findings, conclusions, and orders; and
- (4) a reasonable period of time in which the order must be complied with.

(c) *Factors to be considered.*

In determining whether or not a particular railroad grade crossing as aforementioned, creates a condition that reasonably requires further protection, and in determining which warning or safety measure, if any, set forth in subsection (a) of this section shall be provided by the railroad company at a particular location, the Director of Public Works shall give consideration to the following:

- (1) the number of tracks involved at the particular location;
- (2) the usual or general speed of the rolling equipment operated over the tracks at the particular location;
- (3) the number and frequency of trains or other rolling equipment operated over the tracks at the particular location;
- (4) the type or character of the neighborhood surrounding the particular location;
- (5) the volume and type of vehicular and pedestrian traffic using the street or highway at the particular location at various times;
- (6) the transportation requirements and facilities;
- (7) the topography of the surrounding land and the grade, width, course, and location of the railroad tracks and the street or highway at the particular location;
- (8) the existence of any signaling, warning, or safety device or devices which have been constructed, installed, or placed by the railroad company at the particular location;
- (9) the number and character of collisions that have occurred at the particular location; and

(10) any other pertinent facts or matters.

(d) *Allocation of cost.*

- (1) The cost and expenses for the installation of the devices required by the Director of Public Works under this section may be apportioned by the Board of Estimates of the City of Baltimore between such railroad company and the Mayor and City Council of Baltimore on the basis of the Board's judgment of the benefits accruing to the railroad and the public respectively.
- (2) In any determination of the allocation of costs, as hereinbefore set forth, the Board of Estimates may, in addition to all other pertinent factors, consider the relative use of said crossing by railroad traffic and other vehicular traffic.
- (3) The determination of the apportionment by the Board of Estimates shall be final and not subject to appeal.
- (4) Such apportionment shall apply only to future installations ordered hereunder. In no event shall any part of the cost of restoring, repairing, or maintaining the protective devices heretofore or hereafter provided by the railroad at said crossings or of installing crossings signs or providing train crew protection be apportioned by the Board of Estimates to the Mayor and City Council of Baltimore.

(City Code, 1976/83, art. 31, §47.) (Ord. 75-919.)

**§ 19-4. Administrative review.**

(a) *Request for review.*

In the event that the railroad company or the Mayor and City Council of Baltimore disagrees or is dissatisfied with any such order issued or made by the Director of Public Works, it shall, within 15 days after the date of such order have the right, in writing, to request the Director of Public Works to review said order.

(b) *Hearing; decision.*

- (1) Within 15 days after the Director has received the written request for review, the Director shall grant a public hearing to the persons requesting the review, at which time the parties shall have a right to introduce testimony and be fully heard, and the said proceedings shall be a matter of record.
- (2) The Director of Public Works shall, within 15 days after the hearing, render his decision in writing and include therein the reason for his decision.

(c) *Stay pending decision.*

- (1) A request for review, as aforesaid, shall stay all proceedings upon the order appealed.

- (2) But, whenever, in the opinion of the Director of Public Works, such stay would cause imminent peril to life or property, the Mayor and City Council of Baltimore may request the Circuit Court for Baltimore City for an order vacating such stay, which said power, for good cause shown, is hereby conferred upon the Circuit Court for Baltimore City.

(*City Code, 1976/83, art. 31, §48(a), (b).*) (*Ord. 75-919.*)

#### **§ 19-5. Judicial review.**

(a) *Appeals.*

- (1) The railroad company or the Mayor and City Council of Baltimore, being dissatisfied with a final decision of the Director of Public Works, shall have the right to appeal upon the record to the Circuit Court for Baltimore City by an appropriate petition duly verified, with the right in the parties to offer additional testimony.
- (2) Such petition shall be presented to the court within 15 days after the final decision of the Director of Public Works.

(b) *Answer; decision.*

- (1) Upon the presentation of such petition, the Court shall prescribe the time, not less than 15 days within which an answer shall be filed and served upon the petitioner or its attorney.
- (2) The Court may reverse, affirm, or modify in whole or in part the final decision of the Director of Public Works, which has been brought up for review.

(c) *No stay pending decision.*

Compliance with the decision of the Director of Public Works shall be stayed only upon order of the court, on application and after notice to the Director and for good cause shown.

(d) *Further appeal.*

- (1) An appeal may be taken from the determination of the Circuit Court for Baltimore City to the Court of Special Appeals of Maryland.
- (2) Compliance with the decision of the Director of Public Works or of the Circuit Court shall be stayed while said appeal is pending only upon order of the trial court, after due notice to the parties and on good cause shown.

(*City Code, 1976/83, art. 31, §48(c) - (e).*) (*Ord. 75-919.*)

#### **§ 19-6. Review of prior order.**

(a) *Petition to review.*

At any time after 1 year or more has elapsed from the date of any final order or decision made or rendered by the Director of Public Works or any court, as the case may be, in connection with

any 1 particular location, the railroad company owning or operating over the tracks at the particular location, shall have the right to file a petition with the Director of Public Works requesting said Director to review the last final order or decision made or rendered in connection with the particular location.

(b) *Hearing.*

Within 10 days after the receipt of such petition, the Director shall set a time for holding a hearing concerning the subject matter set forth in such petition, not sooner than 30 days nor more than 90 days after such petition is received in the office of the Director of Public Works, at which time all interested parties shall have a right to be heard.

(c) *Director's prerogatives; decision.*

- (1) The Director of Public Works shall have the power to amend, change, modify, affirm, or repeal in whole or in part, said last final order or decision.
- (2) Within 15 days after the said hearing has been completed, said Director shall render his written decision and include therein the reasons for such decision.

(d) *Appeals.*

If the railroad company or the Mayor and City Council of Baltimore is dissatisfied with any such decision of the Director such party shall have the same right of appeal as provided herein in the case of original decisions of the Director of Public Works.

(City Code, 1976/83, art. 31, §48(f).) (Ord. 75-919.)

**§ 19-7. Enforcement.**

(a) *Compliance required.*

- (1) Every person and other legal entity subject to the terms of this subtitle shall fully comply at all times with all of the terms and provisions of this subtitle and any order legally issued hereunder by the Director of Public Works.
- (2) Any act or actions which are contrary to any provision or requirement of, and any and all failures to comply with, any provision or requirement of this subtitle or any order issued or made by the Director of Public Works shall constitute a violation of this subtitle.

(b) *Actions by Director.*

- (1) The Director of Public Works is hereby authorized and empowered to institute or cause to be instituted any and all legal, equitable, or criminal actions or proceedings, of every kind and character, which may be necessary or proper to enforce any and all of the provisions of this subtitle or any lawfully issued order of the Director of Public Works.
- (2) Nothing contained in this subtitle shall be taken or construed to estop or prevent the Director of Public Works from instituting or causing to be instituted or fully prosecuting any and all

legal or equitable actions or proceedings of any kind or character which may be necessary or proper to compel a full compliance with any and all of the provisions of this subtitle or any order issued or made by the Director of Public Works, even though criminal proceedings of any kind of character may be pending or may have been completed.

*(City Code, 1976/83, art. 31, §50(a), (b), §51.) (Ord. 75-919.)*

**§ 19-8. Penalties.**

*(a) In general.*

Every person or other legal entity who commits a violation of this subtitle shall be guilty of a misdemeanor and, upon conviction thereof in any court of competent jurisdiction, shall be fined \$25.

*(b) Each day a separate offense.*

Every such person or other legal entity shall be deemed guilty of a separate offense for each and every day that any such violation continues.

*(City Code, 1976/83, art. 31, §50(c).) (Ord. 75-919.)*



**SUBTITLE 20**  
***{RESERVED}***

**SUBTITLE 21**  
**TOWING VEHICLES FROM PRIVATE PARKING FACILITY**

**§ 21-1. Required signs.**

(a) *In general.*

(1) This section applies to any private property that:

- (i) has a parking facility with 3 or more spaces accessible to the public; and
- (ii) makes this facility available to customers, clientele, employees, residents, lessees, or guests.

(2) Unless a parking facility is posted in accordance with this section:

- (i) the owner, manager, or other person in charge of the parking facility may not use towing services to enforce parking restrictions; and
- (ii) no towing company may tow a vehicle from the parking facility for a violation of parking restrictions.

(b) *Contents.*

Each sign must:

(1) indicate that vehicles parked without authorization may be towed; and

(2) state:

- (i) the exact location to which the vehicle will be towed;
- (ii) the hours during which the vehicle may be reclaimed;
- (iii) the maximum amount that will be charged for the towing and for per diem storage of a vehicle;
- (iv) the telephone number that the vehicle's owner or operator may call to reclaim the vehicle; and
- (v) the name and City license number of the towing company.

(c) *Size, number, and placement.*

(1) Each sign must be at least 24" x 30".

(2) At least 1 sign must be conspicuously posted:

- (i) at each entrance to the parking facility; and
- (ii) at each exit from the parking facility.

(3) Additional signs must be conspicuously posted throughout the facility as follows:

- (i) for a surface lot in the Tourist Parking District, so that there is at least 1 additional sign for each 25 parking spaces (or fraction of 25 parking spaces); and
- (ii) for all other parking facilities and areas, so that there is at least 1 additional sign for each 7,500 square feet of parking (or fraction of 7,500 square feet).

(4) Each sign must be clearly readable and visible at all times.

(d) *Tourist Parking District.*

(1) There is a Tourist Parking District.

(2) The District comprises the following area of the City:

Beginning at North Avenue and Greenmount Avenue, south on Greenmount to Monument Street, then east on Monument to Central Avenue, then south on Central to Fleet Street, then east on Fleet to Essex Street, then southeast on Essex to Montford Avenue, then south on Montford to Hudson Street, then east on Hudson to Highland Avenue, then south on Highland to Eastbourne Avenue, then west on Eastbourne to Clinton Street, then south on Clinton to I-95, then west on I-95 to Monroe Street, then northwest on Monroe to Washington Boulevard, then northeast on Washington to South Carey Street, then north on South Carey to Lombard Street, then east on Lombard to Martin Luther King Boulevard, then north on Martin Luther King to Pennsylvania Avenue, then northwest on Pennsylvania to North Avenue, then east on North to Greenmount Avenue.

(City Code, 1976/83, art. 31, §67½(a).) (Ord. 87-976; Ord. 94-409; Ord. 01-231.)

**§ 21-2. *Repealed by Ord. 01-231.***

**§ 21-3. Reclaiming vehicle.**

(a) *Opportunity to be 24/7.*

When a vehicle has been towed from private property, the towing company or owner of the property from which the vehicle was removed must provide the owner of the vehicle or the owner's authorized agent the opportunity to retake possession of the vehicle at any time, 24 hours a day, 7 days a week.

(b) *ATM to be on premises.*

An automatic teller machine must be available at any location where persons seeking to reclaim their vehicles will be required to pay the tower.

(c) *Complaint information to be provided.*

For any vehicle towed from private property, the receipt given to the owner or owner's agent must contain the following statement:

“Towing from private parking facilities is regulated by City Code Article 31, Subtitle 21.

For complaints, please call the Baltimore City Towing Board at {Telephone Number}.”.

(City Code, 1976/83, art. 31, §67½(c).) (Ord. 87-976; Ord. 01-231.)

**§ 21-4. Scope of subtitle.**

This subtitle does not:

(1) authorize or confer any right upon property owners to have vehicles which trespass upon their property removed or towed; or

(2) grant to any towing company or operator the right to impose any charge upon the vehicle towed in addition to any such rights that they might otherwise have under applicable law.

(City Code, 1976/83, art. 31, §67½(e).) (Ord. 87-976.)

**§ 21-5. {Reserved}**

**§ 21-6. Penalties.**

(a) *In general.*

Any person who violates any provision of this subtitle is guilty of a misdemeanor and, on conviction, subject to a sum of not more than \$200 for each offense.

(b) *Each towed vehicle a separate offense.*

Each vehicle that is towed from a parking facility that is not posted as required by this section is a separate offense.

(City Code, 1976/83, art. 31, §67½(d).) (Ord. 87-976; Ord. 01-231.)

**SUBTITLE 22**  
**REGULATION OF TOWING SERVICES**

**Editor's Note:** For a similar set of provisions, governing towing services not initiated by a vehicle's owner, *see* Article 15, Subtitle 22.

**§ 22-1. Definitions.**

(a) *In general.*

Whenever used in any clause:

- (1) the singular pronoun shall include the plural, and vice versa; and
- (2) the masculine shall include the feminine and neuter, and vice versa.

(b) *Disabled vehicle.*

“Disabled vehicle” means a motor vehicle which has been damaged or rendered inoperative as the result of a collision or accident and not as a result of wear and tear or mechanical failure.

(c) *Person.*

- (1) “Person” means every natural person, partnership, corporation, fiduciary, association, or other entity.

- (2) Whenever used in any clause prescribing and imposing a penalty, the term “person”:

- (i) as applied to any partnership or association, shall mean the partners or members thereof; and

- (ii) as applied to any corporation, shall include the officers thereof.

(d) *Towing.*

- (1) “Towing” means the moving or removing and/or the preparation thereof of a disabled vehicle by another vehicle for which service a charge is made, either directly or indirectly.
- (2) A charge made indirectly refers to dues or other charges of bona fide clubs or associations which provide towing services.

(e) *Towing company.*

“Towing company” means a natural person, partnership, corporation, fiduciary, association, or other entity owning, operating, or conducting the business of disentangling, removing, or towing vehicles damaged by collision or other accident.

(f) *Towing vehicle.*

(1) “Towing vehicle” means a vehicle that tows, carries, or removes a disabled vehicle for a fee charged either directly or indirectly.

(2) A fee charged indirectly refers to dues or other charges of clubs or associations which provide towing services.

(*City Code, 1966, art. 31, §110; 1976/83, art. 19, §201.*) (*Ord. 57-998; Ord. 75-921.*)

**§ 22-2. Declaration of policy.**

For the purpose of protecting the general welfare and public interests of the community, safe-guarding the public interests against fraud, discrimination, deceptions, and similar abuses, and eliminating the retarding of traffic, unnecessary street congestion, unnecessary delays, and traffic hazards, the towing of vehicles disabled by collision or other accidents shall be subject to supervision and administrative control in the City of Baltimore, as in this subtitle provided.

(*City Code, 1966, art. 31, §108; 1976/83, art. 19, §199.*) (*Ord. 57-998; Ord. 75-921.*)

**§ 22-3. Rules and regulations.**

The Police Commissioner shall have the power to make and enforce any and all reasonable regulations to effectuate the purposes of this subtitle.

(*City Code, 1966, art. 31, §117; 1976/83, art. 19, §208.*) (*Ord. 57-998; Ord. 75-921.*)

**§ 22-4. Towing license required.**

(a) *In general.*

It shall be unlawful for any person to engage in towing disabled vehicles from any accident location within the City of Baltimore without having first obtained a license from the Director of Finance as hereinafter provided, or to do so during the suspension or after the revocation thereof.

(b) *Applications.*

Applications shall be made on forms to be furnished by the Police Commissioner.

(c) *Fees.*

The applicant shall pay to the Director of Finance:

(1) a filing fee of \$20 when the application is made, which fee shall be retained by the Director of Finance to cover initial examination and inspection costs; and

(2) if the application is approved:

(i) shall pay the further sum of \$10 covering the license for the then current year; and

(ii) thereafter shall pay each year the sum of \$20 for a renewal of the license.

(d) *Copies.*

A certified copy of the license must be carried in each towing vehicle when in use, and such copies may be obtained on payment of a fee of \$5 each.

(*City Code, 1966, art. 31, §111; 1976/83, art. 19, §202.*) (*Ord. 57-998; Ord. 75-921; Ord. 90-509.*)

**§ 22-5. Surety bond.**

Every person who shall be licensed in the towing business under the provisions of this subtitle shall be required to file with the Police Commissioner of Baltimore City a bond in the amount of \$5,000 to save harmless the owner of any automobile for any property damage occurring thereto during the time that it shall be in the possession of the towing company.

(*City Code, 1966, art. 31, §120; 1976/83, art. 19, §211.*) (*Ord. 57-998; Ord. 58-1271; Ord. 75-921.*)

**§ 22-6. Tow vehicle sign.**

On each side of every towing vehicle there shall be legibly inscribed the name and address of the owner of each towing vehicle. Letters and numerals required by this section shall not be less than 4 inches in height.

(*City Code, 1966, art. 31, §112; 1976/83, art. 19, §203.*) (*Ord. 57-998; Ord. 75-921.*)

**§ 22-7. Schedule of charges.**

(a) *Scheduled to be filed.*

(1) Every person engaged in towing disabled vehicles shall, at the time of his application for a license, file with the Police Commissioner a schedule setting forth his charges for towing and for any services incident to towing.

(2) Such charges may be measured by mileage, time, and type of service and stated clearly on the application for a towing license filed by the person engaged in the towing business.

(b) *No change without amended schedule.*

The charges there stated shall not be changed without the filing with the Police Commissioner of an amended schedule showing the charges proposed.

(c) *Rejection of amended schedule.*

(1) The Police Commissioner, upon receiving any such proposed schedule of changes, shall have the authority to reject it when the charges proposed are, in his opinion, excessive for the service to be performed.

(2) In such case, he shall return the proposed schedule to the person engaged in the towing business, with suitable notification of his reasons for rejecting it.

(*City Code, 1966, art. 31, §113; 1976/83, art. 19, §204.*) (*Ord. 57-998; Ord. 75-921.*)

**§ 22-8. Estimates and repairs.***(a) Agreement required.*

It shall be unlawful for any towing company to make repairs for a consideration on any disabled vehicle removed by a towing vehicle without first entering into a signed agreement with the owner of the disabled vehicle or his authorized representative, which agreement shall include an estimates of the cost of repairs.

*(b) Copies.*

(1) 1 copy of any agreement entered into pursuant to this section shall be given to the owner of the disabled vehicle or his authorized representative.

(2) 1 copy of any agreement entered into pursuant to this subtitle shall be retained as a permanent record for a period of 2 years by the licensed person who owns or leases the towing vehicle to be used in towing or removing the disabled vehicle.

*(City Code, 1966, art. 31, §114; 1976/83, art. 19, §205.) (Ord. 57-998; Ord. 75-921.)*

**§ 22-9. Police assignments to towing companies.***(a) Commissioner to retain list.*

The Police Commissioner of Baltimore City shall retain in his office a current list of all the duly licensed towing operators.

*(b) Allocation by proximity.*

(1) Whenever the services of a towing vehicle shall be required and a request is made to the Commissioner's office for the providing of such services, the Police Commissioner, or his representative, shall have dispatched to the place where the services are required, a vehicle operated by that towing operator whose place of business is closest to the scene of the accident.

(2) In the event the towing operator who is closest to the scene of the accident does not then have a towing vehicle available for service, the Police Commissioner shall call the next closest towing operator and so on until a towing vehicle has been secured.

*(c) Owner's right to choose.*

Nothing herein contained shall be construed as interfering, in any way, with the right of any person to call a towing operator of his own choice to send a towing vehicle to the scene of an accident.

*(City Code, 1966, art. 31, §115(1<sup>st</sup> - 4<sup>th</sup> sens.); 1976/83, art. 19, §206(1<sup>st</sup> - 4<sup>th</sup> sens.)) (Ord. 57-998; Ord. 75-921.)*



**§ 22-10. Owner's right to choose.***(a) Officer to permit owner to call.*

When a vehicle is required to be towed from a City street as a result of accident, disability, or similar vehicular emergency, before calling a towing company authorized by the Police Commissioner to tow vehicles in emergencies, the police officer on the scene shall permit the owner or operator, if available, to contact a licensed or authorized towing company to remove the vehicle.

*(b) Required response time.*

The towing company contacted by the owner or operator shall respond within 20 minutes or a reasonable period of time, as determined by the police officer, under the circumstances occurring at the scene.

*(City Code, 1976/83, art. 19, §202A.) (Ord. 93-231.)*

**§ 22-11. Delivery of vehicle absent signed agreement.***(a) To police.*

(1) A towing company acquiring custody and control of a vehicle, pursuant to the provisions of this subtitle, shall deliver custody and control thereof to the Police Commissioner of Baltimore City unless a signed agreement to the contrary is executed by the owner of the vehicle.

(2) If the vehicle is delivered into the custody and control of the Police Commissioner, he shall have the responsibility for the safety of the vehicle while in his custody and control.

*(b) Recovery by owner.*

Provided, however, that nothing herein contained shall be construed to prevent the owner of a vehicle or his duly authorized agent, from acquiring or reacquiring custody and control of the owner's vehicle upon payment to the towing company or to the Police Commissioner, as the case may be, of the prescribed fee which has been established in the schedule filed with the Police Commissioner.

*(City Code, 1966, art. 31, §121; 1976/83, art. 19, §212.) (Ord. 57-998; Ord. 75-921.)*

**§ 22-12. Solicitations prohibited.**

No person, firm, or corporation shall:

(1) in any way solicit for towing business; or

(2) attempt to take any vehicle in tow unless:

(i) he or it shall have been summoned for that purpose by the Police Commissioner; or

(ii) he or it shall have been summoned by the person involved in an accident.

(City Code, 1966, art. 31, §115(5<sup>th</sup> sen.); 1976/83, art. 19, §206(5<sup>th</sup> sen.)) (Ord. 57-998; Ord. 75-921.)

**§ 22-13. Bail services prohibited.**

(a) *In general.*

It shall be unlawful for any person towing disabled vehicles:

(1) to offer to secure or provide bail;

(2) to enter into an agreement, oral or written, to secure or provide bail; or

(3) to arrange for the providing of bail;

for any person involved in a motor vehicle collision, or accident in the City of Baltimore.

(b) *Exception.*

With the exception that this section shall not apply to bona fide automobile clubs{,} associations{,} or insurance companies.

(City Code, 1966, art. 31, §116; 1976/83, art. 19, §207.) (Ord. 57-998; Ord. 75-921.)

**§ 22-14. Gratuities, etc., to City employees prohibited.**

It shall be unlawful for any person to offer or give any gratuities, bribes, or inducements of any kind to any officer or employee of the City of Baltimore or any governmental officer or employee whose salary is paid out of the City Treasury, in order to obtain towing business, or recommendations for towing or storage of or estimating upon repairing disabled vehicles.

(City Code, 1966, art. 31, §118; 1976/83, art. 19, §209.) (Ord. 57-998; Ord. 75-921.)

**§ 22-15. Police radios prohibited.**

(a) *Possession prohibited.*

No person owning or operating a towing company shall have or maintain at his garage, repair shop, or other designated place of business a radio receiving set capable of receiving signals or messages transmitted on the frequencies allocated for use by the Police Department.

(b) *Use prohibited.*

Nor shall any towing company or any of its employees make use of signals or messages so transmitted in connection with the operation of any towing car business.

(City Code, 1966, art. 31, §119; 1976/83, art. 19, §210.) (Ord. 57-998; Ord. 75-921.)

**§ 22-16. Suspension or revocation of licenses.****(a) *In general.***

The Police Commissioner shall have the power to revoke or suspend the license of any person licensed to engage in the towing business who shall:

- (1) violate any of the provisions of this subtitle or any rules of regulations promulgated pursuant hereto; or
- (2) fail to comply with any of the provisions and terms of any towing agreement executed pursuant to this subtitle.

**(b) *Judicial and appellate review.***

- (1) A person whose license has been revoked or suspended by the Police Commissioner may seek judicial review of that action by petition to the Circuit Court for Baltimore City in accordance with the Maryland Rules of Procedure.

- (2) A party to the judicial review may appeal the court's final judgment to the Court of Special Appeals in accordance with the Maryland Rules of Procedure.

(*City Code, 1966, art. 31, §119(2<sup>nd</sup>, 3<sup>rd</sup> sens.); 1976/83, art. 19, §213(2<sup>nd</sup>, 3<sup>rd</sup> sens.).*) (*Ord. 57-998; Ord. 59-1749; Ord. 75-921; Ord. 04-672.*)

**§ 22-17. Penalties.**

Any person who shall violate any of the provisions of this subtitle shall be guilty of a misdemeanor and, upon conviction, subject to fine of \$10 to \$100 for each offense.

(*City Code, 1966, art. 31, §119(1<sup>st</sup> sen.); 1976/83, art. 19, §213(1<sup>st</sup> sen.).*) (*Ord. 57-998; Ord. 59-1749; Ord. 75-921.*)

**§ 22-18. Severability.**

If any sentence, clause, section, or part of this subtitle is for any reason found to be unconstitutional, illegal, or invalid, that unconstitutionality, illegality, or invalidity may not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this subtitle. It is declared to be the intent of the Mayor and City Council of Baltimore that this subtitle would have been adopted had the unconstitutional, illegal, or invalid sentence, clause, section, or part had not been included.

(*City Code, 1966, art. 31, §123; 1976/83, art. 19, §214.*) (*Ord. 57-998; Ord. 75-921.*)

**§ 22-19. Short title.**

The subtitle may be cited as the "Baltimore Towing Ordinance".

(*City Code, 1966, art. 31, §109; 1976/83, art. 19, §200.*) (*Ord. 57-998; Ord. 75-921.*)

**SUBTITLES 23 TO 25**  
***{RESERVED}***

**SUBTITLE 26**  
**MISCELLANEOUS PROHIBITIONS**

**§ 26-1. Unauthorized riding.**

(a) *Prohibited conduct; penalty.*

It shall not be lawful for any unauthorized person or persons to ride on locomotives, tenders, or cars of steam railroads, street cars, stages, omnibuses, hacks, or any licensed conveyance for passengers or merchandise on any street, lane, or alley opened for public use within the limits of the City of Baltimore under a penalty of \$1 for each offense, to be recovered as other fines and penalties are now recoverable.

(b) *Exception.*

Provided, however, that the provisions of this section shall not apply to newboys {sic} pursuing their vocation.

(City Code, 1893, art. 8, §26; 1927, art. 4, §114; 1950, art. 38, §91; 1966, art. 31, §125; 1976/83, art. 31, §85.) (Ord. 1879-004.)

**§ 26-2. Unauthorized driving.**

If any person shall enter upon or into any vehicle or conveyance, or remain therein, or drive or remove the same from the place where the same may then be, without the authority or permission of the owner or the party in charge thereof, such person so entering, remaining, driving away, or removing without authority or permission as aforesaid, shall be subject to a fine of not less than \$1, nor more than \$20, to be collected as other fines and penalties are collected.

(City Code, 1879, art. 8, §25; 1893, art. 8, §25; 1927, art. 4, §113; 1950, art. 38, §39; 1966, art. 31, §51; 1976/83, art. 31, §38.) (Ord. 1877-085.)

**§ 26-3. Failure to affix registration plates.**

No motor vehicle shall be permitted to stand on the streets and highways of the City of Baltimore unless said motor vehicle has affixed thereto registration plates which are neither expired nor fictitious, and are displayed in the manner set forth in the Maryland Vehicle Law, and shall be subject to such penalties as are set forth in § 37-1 of this article.

(City Code, 1976/83, art. 31, §151.) (Ord. 68-110.)

**§ 26-4. Minors as parking attendants.**

It shall be unlawful for any minor, under the age of 18 years, to assist or in any way to participate in the parking of vehicles on vacant lots, driveways, or any other private property, unless the minor has the written permission of the property owner for such parking.

(City Code, 1966, art. 31, §79; 1976/83, art. 31, §59.) (Ord. 55-1455.)

**SUBTITLE 27**  
**REASONABLE CARE**

**§ 27-1. Always required.**

Nothing contained herein or omitted herefrom shall be construed or held to relieve any person using or traveling or being upon any street, for any purpose whatever, from exercising all reasonable care to avoid or prevent injury through collision with all other persons and vehicles.

*(City Code, 1927, art. 4, §57; 1950, art. 38, §80; 1966, art. 31, §96; 1976/83, art. 31, §72.) (Ord. 08-139.)*

**SUBTITLE 28**  
**SPECIAL REGULATIONS**

**§ 28-1. Police Commissioner may adopt.**

The Police Commissioner is hereby authorized and empowered to make and enforce special regulations with regard to the traffic, at certain hours, when the safety or convenience of the public will best be subserved thereby.

*(City Code, 1927, art. 4, §60; 1950, art. 38, §87; 1966, art. 31, §105; 1976/83, art. 31, §77.) (Ord. 08-139.)*

**SUBTITLES 29 TO 30**  
***{RESERVED}***



**SUBTITLE 31**  
**CLEAR STREETS AND IMPOUNDMENT**

***PART 1. DEFINITIONS; GENERAL PROVISIONS***

**§ 31-1. Definitions.**

(a) *Abandoned vehicle.*

“Abandoned vehicle” has the meaning stated in § 25-201 of the Maryland Vehicle Law.

(b) *Commissioner.*

The “Commissioner” herein referred to is the Police Commissioner of Baltimore or any person designated by him to effectuate the purposes of this subtitle.

(c) *Director.*

The “Director” herein referred to is the Director of Public Works of the City or his designated representative.

(d) *Private property.*

(1) “Private property” shall include all property not included within subsection (f) where the owner can be readily ascertained by reference to the records of the Bureau of Assessments or elsewhere.

(2) In case:

(i) the owner of property:

(A) cannot be so located; or

(B) if located, is out of the City or cannot be reached by certified mail or who does not respond thereto; or

(C) otherwise is beyond the jurisdiction of City authorities; or

(ii) the property is apparently abandoned,

for the purposes of this subtitle such property shall be deemed public as defined below.

(e) *Street.*

(1) As used in this subtitle, the word “street” shall include all public ways, streets, lanes, alleys, footways, and public places in the City.

- (2) Specifically, it shall include publicly-owned vacant lots or public property part of which is vacant.

(City Code, 1976/83, art. 31, §86.) (Ord. 69-343; 99-421.)

**§ 31-2. Liability of lessors and other registered owners.**

(a) *Lessors' liability.*

- (1) In this subsection, "lessor" means a person, corporation, firm, agency, association, or organization that rents or leases motor vehicles.
- (2) A lessor, together with any customer or operator who rents or leases a motor vehicle from it, is jointly and severally liable for fines or penalties imposed for violations of parking ordinances that customer or operator.
- (3) Nothing in this section may be construed to prevent the lessor from recovering from the customer or operator the amount of any fine or penalty paid under this section.

(b) *Registered owner's liability.*

In any prosecution of a violation of any parking or standing law or regulation, proof that the vehicle described in the citation was parked in violation of the law or regulation, together with proof that the defendant named in the citation was at the time of violation the registered owner of the vehicle, constitutes a prima facie presumption that the registered owner of the vehicle was the person who parked the vehicle at the point where and for the time during which the violation occurred.

(City Code, 1976/83, art. 31, §89.) (Ord. 69-343; Ord. 74-768; Ord. 99-399.)

**§§ 31-3 to 31-5. {Reserved}**

***PART 2. GENERAL CONDITIONS WARRANTING IMPOUNDMENT***

**§ 31-6. Vehicles obstructing traffic.**

(a) *Prohibited conduct.*

- (1) It shall be unlawful for any person to use City streets to park, stop, store, or operate a vehicle or part thereof in such a manner as to obstruct or impede the free flow of traffic thereon or the movement of pedestrians.
- (2) Determination by the Commissioner that such a vehicle is actually obstructing traffic as aforesaid shall be considered prima facie evidence of a violation hereof.

(b) *Removal of vehicle.*

- (1) The Commissioner is authorized to cause such vehicle to be removed immediately so as to clear the streets.

(2) Such removal may be:

(i) to another part of the same street;

(ii) to a side street; or

(iii) effected in the manner hereinafter provided for impounded and abandoned motor vehicles.

(City Code, 1976/83, art. 31, §87.) (Ord. 69-343; Ord. 86-772.)

**§ 31-7. Vehicles illegally parked, etc.**

(a) *Prohibited conduct.*

(1) It is unlawful for any person to park, stand, or stop a vehicle or part of a vehicle on any street, lane, or alley:

(i) during the hours when parking, standing, or stopping is restricted or prohibited; or

(ii) for longer than the time permitted for parking, standing, or stopping.

(2) A violation of this subsection is a misdemeanor, punishable by the fine specified in Subtitle 36 of this article.

(b) *Removal of vehicles – Impounding areas.*

(1) In the impounding areas designated in Part 7 of this subtitle, the Department of Public Works shall post conspicuous signs warning the public of the restricted hours and bearing the statement “Cars Towed Away” or “Tow Away Zone”.

(2) In an impounding area in which the required signs have been clearly posted, the Police Commissioner may cause vehicles that are illegally parked, standing, or stopped to be removed and impounded.

(c) *Removal of vehicles — Semitrailers near residence.*

(1) In this subsection, “semitrailer” has the meaning given in State Transportation Article § 11-158.

(2) If a semitrailer, whether attached or detached, is parked, standing, or stopped in violation of § 6-26(b) {“Commercial vehicles: Stopping by residence”} of this article, the Police Commissioner may cause that semitrailer, together with any other vehicle attached to it, to be removed and impounded.

(City Code, 1976/83, art. 31, §88.) (Ord. 69-343; Ord. 70-925; Ord. 75-920; Ord. 84-023; Ord. 03-591.)

**§ 31-8. Abandoned vehicles.****(a) “Department” defined.**

In this section, “Department” means:

- (1) the Department of Public Works, if that agency has been designated for these purposes by the Board of Estimates, as provided in § 25-201(e)(3) of the Maryland Vehicle Law; or
- (2) otherwise, the Baltimore City Police Department.

**(b) Abandonment prohibited.**

The abandonment of a vehicle on the streets of the City, on any other public property, or on any private property without the consent of the owner or person in control of that private property is prohibited by § 25-202 of the Maryland Vehicle Law, subject to the penalties provided in Title 27 of the Maryland Vehicle Law.

**(c) Removal of vehicle — on public property.**

Where a vehicle has been abandoned on a street or any other public property, the Department may have the vehicle removed as provided in this subtitle.

**(d) Removal of vehicle — on private property.**

- (1) Where a vehicle has been abandoned on private property, the Department shall first ascertain who owns or controls the property and make a reasonable effort to discover whether the vehicle is parked or stored on the property with the consent of the owner or person in control of the property.

**(2) If:**

- (i) by reasonable investigation, the Department determines that the vehicle is parked on the property without the consent of the owner or person in control; or
- (ii) the owner or person in control cannot be located within a reasonable period of time; or
- (iii) the storage of the vehicle is in violation of the zoning laws or regulations of the City as applied to that property,

then the vehicle is deemed abandoned and may be towed or otherwise removed, as provided for vehicles found abandoned on public property.

(City Code, 1976/83, art. 31, §91.) (Ord. 69-343; Ord. 71-1162; Ord. 83-1000; Ord. 99-421.)

**§ 31-9. Vehicles in accidents.**

When a motor vehicle has been involved in an accident or other disablement so that:

- (1) it cannot be operated under its own power; or
- (2) the owner or operator thereof is unable to operate it; or
- (3) such vehicle is obstructing traffic,

the Commissioner is authorized to cause such vehicle to be removed to the auto pound hereinafter referred to or put in some other place where it will not obstruct, interfere with, or impede the free flow of traffic.

(City Code, 1976/83, art. 31, §92.) (Ord. 69-343; Ord. 70-806.)

**§ 31-10. Recovery of stolen, etc., vehicles.**

(a) *Removal of vehicle.*

When the Commissioner recovers a vehicle which has been reported stolen or has been used without authorization, he may cause such vehicle to be removed to the said auto pound.

(b) *Reporting to MVA.*

- (1) The Commissioner, upon receiving a report of a stolen vehicle, shall report such alleged theft at once to the Motor Vehicle Administration as required by State law.

- (2) Upon recovery of such car reported stolen, the Commissioner shall at once notify said Motor Vehicle Administration as so required.

(City Code, 1976/83, art. 31, §93.) (Ord. 69-343.)

**§§ 31-11 to 31-20. {Reserved}*****PART 3. IMPOUNDMENT OR IMMOBILIZATION FOR OUTSTANDING CITATIONS*****§ 31-21. Impounding or immobilization authorized.**

(a) *In general.*

When any unattended motor vehicle is found parked at any time upon any street of the City of Baltimore against which there are 3 or more unsatisfied citations for parking violations, and when a period of 30 days or more has elapsed since the 3<sup>rd</sup> unsatisfied citation, the Commissioner is authorized to cause such vehicle:

- (1) either by towing or otherwise, to be removed or conveyed to and impounded in any place designated by the Director; or
- (2) immobilized in such manner as to prevent its operation.

(b) *Method of immobilization.*

Except that no such vehicle shall be immobilized by any means other than by the use of a device or other mechanism which will cause no damage to such vehicle unless it is moved while such device or mechanism is in place.

(c) *Governing rules.*

(1) When the vehicle has been removed and impounded pursuant to the provisions of this section, it shall be subject to the impounding provisions of this subtitle and the penalties applicable thereto.

(2) An immobilized vehicle which is thereafter impounded shall not be subject to the booting fee hereinafter provided for in this subtitle.

(City Code, 1976/83, art. 31, §90(a), (b)(1).) (Ord. 69-343; Ord. 74-768; Ord. 83-864.)

**§ 31-22. Impoundment - right to hearing.**

(a) *In general.*

(1) The owner of a vehicle impounded under this Part 3, has the same right to contest the validity of the impoundment by requesting a hearing in the same manner as is provided for owners of vehicles impounded as abandoned under Part 4 of this subtitle, the provisions of which shall also apply to vehicles impounded under this Part 3.

(2) The hearing for the owner of a vehicle impounded pursuant to this Part 3 shall be provided within 72 hours, excluding Sundays and holidays, from the time said owner files an application for such hearing.

(b) *Scope.*

The right to the hearing provided for under this section applies equally to:

(1) an owner who elects to be heard prior to payment of any towing or storage charges and posting collateral equivalent to the maximum fines and penalties for unsatisfied parking violation citations; and

(2) to an owner who elects to pay such amounts and secure immediate release of the impounded vehicle.

(City Code, 1976/83, art. 31, §90(b)(2)(1<sup>st</sup>, 2<sup>nd</sup> sens.)) (Ord. 69-343; Ord. 74-768; Ord. 83-864.)

**§ 31-23. Impoundment - notices; time for requesting hearing.**

(a) *In general.*

(1) Posted notice of this right shall be given said owner as provided in Part 4 of this subtitle. Said owner shall also be notified in writing of this right should said owner appear to claim

the vehicle impounded and elect to secure immediate release of the impounded vehicle by payment of all charges which have accrued thereon.

(2) The application for the hearing shall be filed by the owner of the vehicle impounded under the provisions of this Part 3, and said owner shall be so advised, within 10 days from :

(i) the receipt by the owner of the notice posted to such owner; or

(ii) from the date said owner is notified in writing of his right to said hearing, should said owner appear to claim the vehicle impounded.

(b) *Immobilized vehicle later impounded.*

The owner of an immobilized vehicle which is thereafter impounded pursuant to the provisions of this Part 3 shall be advised that said owner's right to the hearing provided under this Part shall be deemed to have been waived if said owner:

(1) fails to return the application for the hearing within 10 days from the receipt of the notice posted to such owner;

(2) fails to return the application for the hearing within 10 days from the date said owner is notified in writing of his right to said hearing should said owner appear to claim the vehicle impounded pursuant to the provisions of this Part 3; or

(3) executes a written document waiving said owner's right to the hearing provided for under this Part 3.

(City Code, 1976/83, art. 31, §90(b)(2)(3<sup>rd</sup>, 4<sup>th</sup> sens.), (3), (4).) (Ord. 69-343; Ord. 74-768; Ord. 83-864.)

### **§ 31-24. Impoundment - hearing.**

(a) *Matters to be determined.*

Applications for a hearing contesting the validity of the impoundment or immobilization under this Part 3 shall be heard to determine:

(1) whether or not there were, at the time such vehicle was impounded or immobilized, 3 or more unsatisfied citations for parking violations against such vehicle; and

(2) whether a period of 30 days or more had elapsed since the 3<sup>rd</sup> unsatisfied citation.

(b) *Relevant facts and circumstances.*

The hearing officer may also consider such other relevant facts and circumstances, as he deems necessary, in making a determination as to the validity of the impoundment.

(City Code, 1976/83, art. 31, §90(c).) (Ord. 69-343; Ord. 74-768; Ord. 83-864.)

**§ 31-25. Immobilization - notice on vehicle.***(a) Warning of potential damage.*

In any case involving immobilization of a vehicle pursuant to this Part 3, the Commissioner shall cause to be placed on such vehicle, in a conspicuous manner, notice sufficient to warn any individual to the effect that such vehicle has been immobilized and that any attempt to move such vehicle might result in damage to such vehicle.

*(b) Additional information to be given.*

Said notice shall also advise the owner or operator that:

- (1) the vehicle has been immobilized by the City of Baltimore for violations of this article;
- (2) the owner of an immobilized vehicle has the right to contest the validity of the immobilization at a hearing within 72 hours, excluding Sundays and holidays, from the submission of an application in the manner hereinafter provided;
- (3) such application forms are available at a designated place or will be mailed to said owner upon request; and
- (4) release of the vehicle may be obtained at a designated place:
  - (i) upon payment of a booting fee and other charges specified in this Part 3 prior to the hearing to which said owner is entitled, as aforesaid; or
  - (ii) upon payment of a booting fee and other charges specified in this Part 3 and the execution of a document in writing waiving the hearing to which said owner is otherwise entitled.

*(City Code, 1976/83, art. 31, §90(d).) (Ord. 69-343; Ord. 74-768; Ord. 83-864.)*

**§ 31-26. Immobilization - release on payment of booting fee, etc.***(a) In general.*

The owner of an immobilized vehicle shall be permitted to secure release of the vehicle upon payment of:

- (1) a booting fee of \$24; and
- (2) all charges which have accrued thereon by virtue of its immobilization, including collateral equivalent to the maximum fines and penalties for unsatisfied parking violation citations.



(b) *Owner's right to contest preserved.*

Such payment will not affect the owner's right to a hearing prescribed in this Part 3 nor will it be deemed a waiver of the owner's right to contest the validity of the immobilization unless the owner elects to waive the hearing to which said owner is otherwise entitled.

(c) *Notice to owner.*

Should the owner of an immobilized vehicle appear to secure release of the vehicle, as heretofore provided, notification in writing shall be rendered to such owner stating the owner's rights and obligations as provided for in this section.

(City Code, 1976/83, art. 31, §90(f).) (Ord. 69-343; Ord. 74-768; Ord. 83-864.)

**§ 31-27. Immobilization - right to hearing.**

(a) *In general.*

- (1) The owner of a vehicle immobilized under this Part 3 has the right to contest the validity of the immobilization at a hearing within 72 hours, excluding Sundays and holidays, from the time said owner files an application for such hearing with a hearing officer.
- (2) Said owner may also secure a hearing, as provided for herein, within 72 hours, excluding Sundays and holidays, from the time said owner files the application required, before payment of the booting fee and all charges which have accrued thereon by virtue of the immobilization, and before the immobilized vehicle is released.

(b) *Application form and deadline.*

- (1) The form of said application shall be prescribed by the Director.
- (2) Said application shall be filed within 10 days from:
  - (i) the date said owner has been provided notice of immobilization as specified in § 31-25;
  - (ii) the receipt of written notice to be provided said owner, as hereinafter prescribed; or
  - (iii) the date said owner is notified in writing of his right to said hearing should said owner appear to claim the vehicle immobilized.

(City Code, 1976/83, art. 31, §90(g)(1).) (Ord. 69-343; Ord. 74-768; Ord. 83-864.)

**§ 31-28. Immobilization - notices.**

(a) *In general.*

- (1) Unless the owner of a vehicle immobilized under the provisions of this Part 3 appears to secure release of the vehicle within 24 hours after the vehicle has been immobilized, in addition to the notice given the owner of said vehicle, as provided for under § 31-25, said

owner shall be given written notice by certified mail within 48 hours after the vehicle has been immobilized, by the Director of Public Works, that said owner has the right to contest the validity of the immobilization at a hearing within 72 hours, excluding Sundays and holidays, from the submission of an application as heretofore provided herein.

(2) A copy of said application shall be included with the notice posted to the owner.

(b) *Warning of waiver.*

The owner of a vehicle immobilized pursuant to this section shall be advised that said owner's right to a hearing provided herein shall be deemed to have been waived if said owner:

(1) fails to return the application for a hearing within 10 days from the receipt of notice provided for in § 31-25 or within 10 days from the receipt of any certified mail notice sent to said owner;

(2) fails to return the application for the hearing within 10 days from the date said owner is notified of his right to said hearing, should said owner appear to claim the vehicle immobilized under this section; or

(3) executes a written waiver whereby he waives the hearing provided for under this Part 3. (*City Code, 1976/83, art. 31, §90(g)(2), (3). (Ord. 69-343; Ord. 74-768; Ord. 83-864.)*)

**§ 31-29. Immobilization - hearing.**

(a) *Director to set procedures.*

The Director shall establish by regulations the procedures for the holding of the hearings provided for under this Part 3.

(b) *Hearing officers to conduct.*

The hearing officers appointed in accordance with the provisions of Part 4 of this subtitle shall receive the applications and conduct the hearings provided for under this Part 3.

(c) *Decision.*

(1) If it is determined by the hearing officer, after consideration of the criteria prescribed for the hearing as set forth in § 31-24 of this subtitle, that the vehicle should not have been immobilized:

(i) the owner shall not be required to pay the booting fee provided for under § 31-26 to secure release of said vehicle; or

(ii) if the booting fee was paid prior to the hearing a refund of said booting fee shall be made to the owner who paid said fee.

(2) The hearing officer's ruling in no way has any bearing on the fine, penalty, or charge imposed by the District Court of Maryland for parking violations.  
(*City Code, 1976/83, art. 31, §90(g)(4), (5).*) (*Ord. 69-343; Ord. 74-768; Ord. 83-864.*)

**§ 31-30. Immobilization - subsequent acquittal on citations.**

(a) *Charges rebated.*

If following trial in the District Court of Maryland or other tribunal, a not guilty verdict is entered upon any of the parking violations charged against the vehicle immobilized, notwithstanding the ruling of the hearing officer with respect to the immobilization of the vehicle, all charges advanced as having accrued upon the vehicle by virtue of its immobilization, including the collateral advanced, for such parking violation upon which a not guilty verdict was entered, shall be returned to the person who advanced such sums upon presentation of the official receipt issued at the time said vehicle was released.

(b) *Booting fee rebated.*

It is further provided that if, as the result of the Court's decision, the number of parking violations charged against the vehicle previously immobilized, is reduced to 2 or less, and provided no refund has previously been made, the booting fee shall also be returned to the person who advanced such fee, upon presentation of the official receipt issued at the time said vehicle was released.

(*City Code, 1976/83, art. 31, §90(h).*) (*Ord. 69-343; Ord. 74-768; Ord. 83-864.*)

**§ 31-31. Immobilization -tampering prohibited.**

(a) *Prohibited conduct.*

It shall be unlawful for any person:

- (1) to tamper with or remove or attempt to remove the immobilization device without authorization; or
- (2) to remove the warning notice.

(b) *Penalties.*

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not more than \$500 or to imprisonment for not more than 12 months, or to both such fine and imprisonment in the discretion of the court.

(*City Code, 1976/83, art. 31, §90(e).*) (*Ord. 69-343; Ord. 74-768; Ord. 83-864.*)

**§§ 31-32 to 31-40. {Reserved}**

***PART 4. IMPOUNDMENT PROCEDURES*****§ 31-41. Auto pound.***(a) Director to provide.*

To assist in effectuating the purposes of this subtitle, the Director shall provide an auto pound or storage area of sufficient size and staffed with sufficient personnel and equipment to receive, hold, and dispose of the motor vehicle *{sic}* delivered to it under the provisions hereof.

*(b) Abandoned Vehicle Division.*

(1) To this end there shall be created in the Bureau of General Services of the Department of Public Works a Division to be known as the Abandoned Vehicle Division.

(2) The Director shall appoint a Chief of such Division, to be known as the Chief of the Abandoned Vehicle Division.

*(City Code, 1976/83, art. 31, §94.) (Ord. 69-343.)*

**§ 31-42. Employment of tow trucks.***(a) Director to remove vehicles in violation.*

In carrying out the provisions of this subtitle with respect to vehicles abandoned, parked, stopped, or left unattended in violation of law and/ or obstructing traffic, the Commissioner shall notify the Director to cause such vehicle to be removed.

*(b) Private towers to be used for others.*

(1) However, with respect to cars stolen, disabled by accident or otherwise, or parked so as to block the entrance to a driveway in an impoundment zone, except in emergency situations, the Commissioner shall employ 1 or more licensed towers or towing companies to proceed at once to the scene and transport such vehicle to the said auto pound.

(2) Disabled vehicles, however, may be towed to a place designated by the owner or his agent.

(3) For the purposes of this section, emergency situations are deemed to mean police security, civil disaster, or otherwise.

*(c) Selection of towers.*

(1) Such tower shall be selected by the Commissioner from a list previously prepared by him.

(2) In selecting a tower for a particular transaction, preference shall be given to one as close as possible to the location of the vehicle.

(d) *Fees.*

- (1) The towing charges shall be set in advance, arrived at by agreement between the towers, the Commissioner, and the Director, with any disputes as to such charges to be settled by the Commissioner.
- (2) In the event towing is performed by City forces or vehicles and no employment of towers becomes necessary, the same schedule of charges shall apply. Such towing charges will be added to the cost of storage as hereinafter specified, and made a lien upon such vehicle.

(e) *Reports by private towers.*

When a private tower is used, said Commissioner shall prepare a vehicle report for the vehicle and have it verified and signed by such tower on forms provided by the Commissioner:

(1) containing:

- (i) a brief description of the vehicle, including any distinguishing marks or accessories; and
  - (ii) a listing of any personal property found;
- (2) showing removal and custody of same for such vehicle; and
- (3) also showing the towing charges for removing said vehicle to the auto pound.

(f) *Rules and regulations.*

The Commissioner may promulgate and adopt rules to implement the enforcement hereof, such rules to be published.

(*City Code, 1976/83, art. 31, §95.*) (*Ord. 69-343; Ord. 70-806; Ord. 81-425.*)

**§ 31-43. Notice and hearing — in general.**

(a) *Notice to owner and secured party.*

- (1) After the vehicle has been removed to the auto pound the Director of the Department of Public Works must within 2 full working days post notice to the owner of the vehicle and must within 7 full working days post notice to the secured party by certified mail, return receipt requested, that:
  - (i) the Director has the vehicle in custody;
  - (ii) the storage location of the vehicle;
  - (iii) that the vehicle will be sold at public auction to the highest bidder unless claimed by the owner within 11 working days after the receipt of the notice; and

- (iv) that the owner of a vehicle impounded as abandoned has a right to contest the validity of the taking by application, on a form prescribed by the Director of the Department of Public Works, to a hearing officer within 10 days from the date of such application.

(2) Application forms shall be sent to the owner and shall be made part of the notice letter.

(b) *Mayor to appoint hearing officer.*

The Mayor shall appoint a hearing officer, who shall not be a member of any state or local police department, to hear applications to determine whether or not the vehicle was abandoned and, therefore, subject to impoundment under the Baltimore City Code.

(c) *Director to set hearing procedures.*

The Director of the Department of Public Works shall establish by regulation the procedures for holding hearings.

(d) *Decision.*

- (1) If it is determined that the vehicle was unlawfully impounded, the owner of the vehicle shall not be liable for any charge imposed for the towing and storage of the vehicle.

- (2) The hearing officer's ruling in no way has any bearing on the fine, penalty or charge imposed by the District Court of Baltimore City for the violations of any traffic law.

(City Code, 1976/83, art. 31, §96(a).) (Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516.)

**§ 31-44. Notice and hearing — exception.**

The Director shall not be required to give notice and a hearing shall not be held in the case of a vehicle that:

- (1) is more than 8 years old; and

- (2) has no engine or otherwise is totally inoperable.

(City Code, 1976/83, art. 31, §96(d).) (Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516.)

**§ 31-45. Inability to find owner or secured party.**

(a) *Scope of search.*

In researching ownership, the Director of the Department of Public Works is not required to go beyond the name and address of the person who is the legal or title owner of the vehicle, as noted on the records of the Motor Vehicle Administration of the State of Maryland, or similar agency in any other state or country.

(b) *Notice by publication.*

In those instances where:

- (1) the identity of the last registered owner of an impounded vehicle cannot be determined from the records of the Motor Vehicle Administration of the State of Maryland or any other State agency or country;
- (2) registration of the vehicle gives no address for the owner;
- (3) it is impossible to determine with reasonable certainty the identity and address of each secured party; or
- (4) the certified mail notice required by this Part 4 is returned as undeliverable,

then the Director of the Department of Public Works shall give the required notice by publication in at least 1 newspaper of general circulation in the area where the vehicle was found.

(City Code, 1976/83, art. 31, §96(b).) (Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516.)

**§ 31-46. Reclaim by owner.**

(a) *Required payment and collateral.*

If an owner appears to claim the owner's vehicle, then it shall be returned to the owner or the owner's authorized representative upon payment of all charges which have accrued thereon by virtue of its towing and storage, including collateral equivalent to the maximum fine for illegal parking where the vehicle was impounded.

(b) *Right to hearing preserved.*

If a vehicle is claimed by the owner or the owner's authorized representative upon payment of all charges accrued, the payment will not affect the owner's right to a hearing prescribed above or be taken as an admission of whether or not the towing of the vehicle was authorized under the Baltimore City Code.

(c) *Notice.*

An owner or the owner's authorized representative whose vehicle has been impounded as abandoned and who claims the vehicle within 48 hours after the vehicle has been removed to the auto pound:

- (1) must be notified in writing that the owner has a right to contest the validity of the taking before a hearing officer; and

- (2) must make application within 10 days thereafter of the intention to contest the validity of the taking to the hearing officer.

(City Code, 1976/83, art. 31, §96(c).) (Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516.)

**§ 31-47. Storage charges.**

(a) *Basic charges.*

- (1) Except as provided in subsection (b) of this section for commercial vehicles, the storage charge for each vehicle delivered to the storage area is as follows:

(i) for the 1<sup>st</sup> 48 hours or any shorter period, \$50; and

(ii) for each 24-hour period or part of a 24-hour period after the 1<sup>st</sup> 48 hours, \$15.

(b) *Commercial vehicles.*

- (1) The storage charges for a commercial vehicle, as defined in the Maryland Vehicle Law, are as set by the Director from time to time.

- (2) A schedule of the charges set under this subsection must be filed with the Department of Legislative Reference before they take effect.

(c) *Charges in addition to fines, etc.*

The charges imposed by this section are in addition to any other fine, penalty, or charge imposed for violation of any traffic law.

(City Code, 1976/83, art. 31, §96(e), (f).) (Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516; Ord. 01-190.)

**§ 31-48. Subsequent acquittal on traffic charge.**

(a) *Charges rebated*

If following trial in the District Court of Baltimore City or other tribunal, the owner or operator of any vehicle so removed is found not guilty upon a traffic charge, even though the hearing officer ruled otherwise with respect to the towing of an abandoned vehicle, the sums advanced or posted by the vehicle's owner or operator shall be returned to the owner or to the person who advanced or posted them.

(b) *Owner to sign receipt.*

When a vehicle is thus reclaimed its owner or operator shall sign a receipt therefor.

(City Code, 1976/83, art. 31, §96(g).) (Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516.)



**§ 31-49. Claim for missing property.**

In cases where the owner asserts that certain accessories, contents, or other items of personal property are missing when the owner reclaims said vehicle:

- (1) such claim shall be noted on the aforesaid receipt;
- (2) the matter of the missing property left open for future determination; and
- (3) the vehicle, together with its contents, duly released to its owner or operator.

(City Code, 1976/83, art. 31, §96(h).) (Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516.)

**§ 31-50. Unclaimed vehicle.**

In case the owner or operator does not claim the vehicle within the aforesaid time limit:

- (1) the Director shall proceed to sell or dispose of the vehicle at public auction, as hereinafter provided; and
- (2) no vehicle held at the auto pound may be released therefrom without the written approval of the Director of the Department of Public Works, whose approval however, may not be unreasonably withheld.

(City Code, 1976/83, art. 31, §96(i).) (Ord. 69-343; Ord. 80-150; Ord. 85-388; Ord. 86-769; Ord. 86-793; Ord. 89-307; Ord. 90-516.)

**§§ 31-51 to 31-55. {Reserved}****PART 5. SALE OF UNCLAIMED VEHICLES****§ 31-56. In general.**

- (a) *Disposition within 45 days.*

It is declared to be the intent of this Part 5 that all motor vehicles brought to the auto pound shall be disposed of as promptly as possible and within a period of 45 days, unless such vehicles are needed for pending litigation or police action such as the investigation of accidents or suspected violations of the law.

- (b) *Holding longer.*

If such vehicles are held beyond the aforesaid 45-day period they may be held only:

- (1) under Court order, in the case of pending litigation; or

- (2) upon written request from the Commissioner, in other cases.

(City Code, 1976/83, art. 31, §97(a).) (Ord. 69-343; Ord. 69-560; Ord. 87-1047.)

**§ 31-57. Auction sales — in general.***(a) Director to arrange periodic sales.*

The Director shall arrange for a certain number of auction sales each year, which shall not be less than 1 sale per month.

*(b) Licensed auctioneers to conduct.*

The sales shall be conducted through regularly licensed auctioneers of the City of Baltimore, selected by the Department of Finance of said City in accordance with the provisions of the City Charter governing retention of services, and under such rules, regulations, and procedures as the Director shall provide.

*(c) Approved list of vehicles to be sold.*

- (1) In advance of the periodic sales the Director shall prepare a list of motor vehicles proposed to be disposed of thereat.
- (2) The lists shall be sent to the Commissioner for the Commissioner's approval, on forms prepared for the Director, and no motor vehicle shall be sold unless the sale has been approved by the Commissioner.
- (3) The Commissioner may not withhold approval of the sale unless the motor vehicle is involved in a police matter as aforesaid; and in such event the Commissioner where practicable, rather than hold the vehicle, shall take photographs of it or its parts and preserve written descriptions thereof, so that the vehicle itself may be put up for sale and disposed of as soon as possible following such 45-day period.

*(d) Advertising sale.*

- (1) All auction sales shall be under the supervision of the Department of Finance and advertised in 1 or more newspapers of general circulation throughout the Baltimore Metropolitan Area.
- (2) Except as provided in § 31-58 of this subtitle, the Department may notify scrap metal processors, used car dealers, and spare parts dealers so as to endeavor to have a number of competitive bidders at each sale, it being the intent that every vehicle listed for sale at a given time shall be disposed of and removed from the auto pound, so as to prevent the storage area from becoming overcrowded.

*(City Code, 1976/83, art. 31, §97(b).) (Ord. 69-343; Ord. 69-560; Ord. 87-1047; Ord. 97-212; Ord. 01-243.)*

**§ 31-58. Auction sales — dirt bikes, unregistered motorcycles, etc.***(a) Definitions.**(1) In general.*

In this section, the following terms have the meanings indicated.

*(2) Abandoned vehicle.*

“Abandoned vehicle” has the meaning stated in § 25-201(b) of the State Transportation Article.

*(3) Dirt bike.*

“Dirt bike” has the meaning stated in Article 19, § 40-1 of the City Code.

*(4) Unregistered motorcycle or similar vehicle.*

“Unregistered motorcycle or similar vehicle” has the meaning stated in Article 19, § 40-1 of the City Code.

*(b) Bidders must be licensed.*

Bidders for dirt bikes or for unregistered motorcycles or similar vehicles, other than abandoned vehicles, must be licensed, bonded motorcycle dealers, licensed automotive dismantlers and recyclers, or licensed scrap metal processors.

*(c) Export abroad.*

(1) The purpose of this subsection is to ensure that dirt bikes and unregistered motorcycles or similar vehicles that have been forfeited under City Code Article 19, Subtitle 40, can be put to good use without being returned to the streets of the City.

(2) Forfeited dirt bikes and unregistered motorcycles or similar vehicles may be transferred to 1 or more charitable organizations for export abroad to provide relief to impoverished areas with critical transportation needs.

(3) The procedures used for transfers under this subsection must:

- (i) accord with the City Charter provisions that govern the disposition of surplus property;
- (ii) ensure that all interested charitable organizations have an opportunity submit proposals for the vehicles;
- (iii) ensure that the selected organization has the ability to take control of the vehicles and export them; and

- (iv) require the selected organization to enter into a written agreement with the City that delineates the parties' respective responsibilities.

(City Code, 1976/83, art. 31, §97(b-1).) (Ord. 69-343; Ord. 69-560; Ord. 87-1047; Ord. 97-212; Ord. 01-243; Ord. 01-285.)

### **§ 31-59. Disposition of funds.**

(a) *In general.*

Funds received pursuant to the sales shall be accounted for and remitted to the Mayor and City Council of Baltimore.

(b) *Claim for excess over expenses.*

However if the owner or person entitled to possession thereof shall present to the Director, within 90 days of the date of the sale, a claim for any excess in the amount of the selling price of such vehicles, or part thereof, or contents thereof as hereinabove described, over and above the expenses thereof, the Director upon finding that an excess (of \$25 or more) actually existed, shall recommend to the Board of Estimates that the excess be returned to the owner or other person.

(c) *Priority of expenses.*

Expenses above referred to shall include but not be limited to:

- (1) towing;
  - (2) storage;
  - (3) unpaid fines against the owner; and
  - (4) payment of all liens on the vehicle of which the Director received actual notice,
- in the above order of priority.

(d) *Decision of Board final and nonappealable.*

Action of the Board of Estimates upon a recommendation shall be final and not subject to appeal. (City Code, 1976/83, art. 31, §97(c).) (Ord. 69-343; Ord. 69-560; Ord. 87-1047.)

### **§ 31-60. Purchaser to obtain new title.**

A certificate of the Director that he has sold such motor vehicle at public auction shall be forwarded to the Motor Vehicle Administration with the request that it be considered sufficient evidence to enable the purchaser to obtain a new certificate of title and registration thereon. (City Code, 1976/83, art. 31, §98.) (Ord. 69-343.)

### **§§ 31-61 to 31-65. {Reserved}**

***PART 6. WHEN CHARGES NOT IMPOSED*****§ 31-66. Vehicles reported stolen.****(a) *Scope.***

This section applies to any vehicle that:

- (1) was reported stolen; and
- (2) is found in and towed from:
  - (i) an impounding area;
  - (ii) a location where it was obstructing or impeding pedestrian or vehicular traffic; or
  - (iii) an area other than an impounding area, at a location where it was not obstructing or impeding pedestrian or vehicular traffic.

**(b) *Charge abated.***

No charge may be imposed for storing the vehicle during:

- (1) the period ending 48 hours after notification by the Chief of the Abandoned Vehicles Division; and
- (2) any longer period that, for good cause shown, the Chief approves.

**(c) *Standards.***

- (1) The Chief of the Abandoned Vehicles Division shall adopt standards for determining “good cause” under subsection (b)(2) of this section.
- (2) A copy of these standards shall be filed with the Department of Legislative Reference before they become effective.

*(City Code, 1976/83, art. 31, §100(a).) (Ord. 73-430; Ord. 02-404.)*

**§ 31-67. Impound for police investigation****(a) *In general.***

Where the Police Department has caused a vehicle to be impounded for investigative purposes, no storage charges shall be collected.

**(b) *Release of vehicle.***

Upon receiving an order from the Police Department, the Chief of the Abandoned Vehicle Division shall release said vehicle to the owner, his next of kin, or his authorized representative.

*(City Code, 1976/83, art. 31, §100(b).) (Ord. 73-430.)*

**§ 31-68. No violations under impound regulations.****(a) *In general.***

Where a vehicle has been impounded and no charges for violations which come under the impounding regulation have been lodged against the owner or operator of said vehicle, neither towing nor storage charges shall be collected if said vehicle is reclaimed within 48 hours after every reasonable attempt to notify the owner or his next of kin has been made that the vehicle has been delivered to the storage area.

**(b) *Exception.***

This section shall not apply to stolen vehicles, abandoned vehicles, or vehicles involved in accidents.

(*City Code, 1976/83, art. 31, §100(c).*) (*Ord. 73-430.*)

**§§ 31-69 to 31-70. {Reserved}*****PART 7. IMPOUNDING AREAS*****§ 31-71. “A” streets and areas.**

(1) Aliceanna Street, both sides, from President Street to Central Avenue.

(2) Arlington Avenue, both sides, from Mulberry Street to Franklin Street.

(*City Code, 1966, art. 31, §129; 1976/83, art. 31, §101.*) (*Ord. 65-580; Ord. 66-821; Ord. 70-819; Ord. 77-524; Ord. 87-960.*)

**§ 31-72. “B” streets and areas.**

(1) Baltimore Street, southerly side, from Fremont Avenue to Broadway.

(2) Baltimore Street, northerly side, from Greene Street to Fallsway.

(3) Bayard Street, north side, from Warner Street to Russell Street.

(4) Belair Road, both sides, from North Avenue to Sinclair Lane.

(5) Broening Highway, both sides, from Cardiff Avenue to Colgate Creek Bridge.

(6) Broadway Market, rear parking lot north of Aliceanna Street adjacent to the trash compactor.

(*City Code, 1966, art. 31, §130; 1976/83, art. 31, §102.*) (*Ord. 65-580; Ord. 66-821; Ord. 78-879; Ord. 83-872; Ord. 85-411; Ord. 86-827; Ord. 89-403; Ord. 90-488; Ord. 93-190.*)

**§ 31-73. “C” streets and areas.**

- (1) Calvert Street, both sides, from York Street to Chancery Road.
- (2) Camden Street, both sides, from Sharp Street to Paca Street.
- (3) Camden Yards Stadium Complex area, residential permit parking program areas therein. The Camden Yards Stadium Complex area is that area within the outer limits of North Avenue, the western bank of the Jones’ Falls, the outer limits of Lawrence Street, Interstate I-95, and Monroe Street, and for impounding purposes includes only those residential permit parking program areas established or altered pursuant to § 10-16 of this article.
- (4) Cathedral Street, westerly side, from Mt. Royal Avenue to Chase Street.
- (5) Cathedral Street, easterly side, from Biddle Street to Mt. Royal Avenue.
- (6) Cathedral Street, both sides, from Chase Street to Saratoga Street.
- (7) Centre Street, both sides, from Eutaw Street to Fallsway.
- (8) Charlcote Road, both sides, from Charles Street to St. Paul Street.
- (9) Charles Street, both sides, from Pratt Street to Fayette Street.
- (10) Charles Street, both sides, from Barre Street to Pratt Street.
- (11) Charles Street, east side, from Fayette Street to 26<sup>th</sup> Street.
- (12) Charles Street, west side, from Fayette Street to North Avenue.
- (13) Charles Street, west side, from Wyndhurst Avenue to Coldspring Lane.
- (14) Charles Street, both sides, from 29<sup>th</sup> Street to Charlcote Road.
- (15) Cider Alley, both sides, from Eutaw Street to Paca Street.
- (16) Clay Street, both sides, from Howard Street to Park Avenue.
- (17) Commerce Street, easterly side, from Pratt Street to Baltimore Street.
- (18) Commerce Street, west side, from Pratt Street to Lombard Street.
- (19) Curran Drive, northeasterly side, alongside of Lake Montebello.
- (20) Curran Drive, southerly side, from 33<sup>rd</sup> Street Extended to road connection to Harford Road. (*City Code, 1966, art. 31, §131; 1976/83, art. 31, §103.*) (*Ord. 65-580; Ord. 66-821; Ord. 76-163; Ord. 78-879; Ord. 79-1184; Ord. 80-191; Ord. 82-682; Ord. 86-827; Ord. 88-190; Ord. 89-403; Ord. 91-802; Ord. 92-011; Ord. 92-101; Ord. 93-192.*)

**§ 31-74. “D” streets and areas.**

(1) Dolphin Street, both sides, from Madison Avenue to Eutaw Place.

(2) Druid Hill Avenue, both sides, from Eutaw Street to Fulton Avenue.  
(*City Code, 1966, art. 31, §132; 1976/83, art. 31, §104.*) (*Ord. 65-580; Ord. 66-821.*)

**§ 31-75. “E” streets and areas.**

(1) Eager Street, southerly side, from Calvert Street to Guilford Avenue.

(2) East Falls Avenue, both sides, from Pratt Street to Aliceanna Street.

(3) Edmondson Avenue, both sides, from Hilton Street to the Baltimore National Pike.

(4) Edmondson Avenue, both sides, from Franklin Street to Hilton Street.

(5) Ellicott Street, both sides, from Water Street to Lombard Street.

(6) Emory Street, west side, of the 200 block where parking meters are installed.

(7) Eutaw Street, east side, from Madison Street to Biddle Street.

(8) Eutaw Street, both sides, from Baltimore Street to Madison Street.

(9) Eutaw Street, both sides, from Camden Street to Baltimore Street.

(10) Eutaw Street, both sides, from Biddle Street to Dolphin Street.  
(*City Code, 1966, art. 31, §133; 1976/83, art. 31, §105.*) (*Ord. 65-580; Ord. 66-821; Ord. 77-281; Ord. 78-719; Ord. 78-879; Ord. 79-943; Ord. 80-165; Ord. 81-189; Ord. 84-027; Ord. 86-656; Ord. 87-945; Ord. 93-192.*)

**§ 31-76. “F” streets and areas.**

(1) West Fairmount Avenue, both sides, from Park Avenue to North Howard Street.

(2) Fallsway, both sides, from Baltimore Street to Mt. Royal Avenue.

(3) Fayette Street, southerly side, from Gay Street to Greene Street.

(4) Fayette Street, northerly side, from Gay Street to Fulton Avenue.

(5) Fayette Street, both sides, from Fallsway to Frederick Street.

(6) Franklin Street, both sides, from St. Paul Street to Franklin Street Extended.

(7) Franklin Street Extended, both sides, from Franklin Street to Edmondson Avenue.



(8) Frederick Avenue, both sides, from Payson Street to Bentalou Street.

(9) Frederick Street, east side, from Water Street to Baltimore Street.

(10) Fulton Avenue, both sides, from Wilkens Avenue to Harlem Avenue.

*(City Code, 1966, art. 31, §134; 1976/83, art. 31, §106.) (Ord. 65-580; Ord. 66-821; Ord. 78-879; Ord. 85-409; Ord. 86-806; Ord. 86-827; Ord. 89-403.)*

**§ 31-77. “G” streets and areas.**

(1) Gay Street, both sides, from Pratt Street to Orleans Street.

(2) Gay Street, westerly side from Saratoga Street to Fallsway.

(3) Gay Street, both sides, from Broadway to North Avenue.

(4) Gay Street, westerly side, from Ashland Avenue to North Avenue.

(5) Greene Street, both sides, from Franklin Street to Washington Boulevard.

(6) Greenmount Avenue, both sides, from North Avenue to Preston Street.

(7) Greenway, easterly side, from St. Martins Road to University Parkway.

(8) Greenway, westerly side, from Chancery Road to University Parkway.

(9) Guilford Avenue, both sides, from North Avenue to Baltimore Street.

*(City Code, 1966, art. 31, §135; 1976/83, art. 31, §107.) (Ord. 65-580; Ord. 66-821; Ord. 76-196; Ord. 77-282; Ord. 78-879; Ord. 86-827.)*

**§ 31-78. “H” streets and areas.**

(1) Hanover Street, both sides, from Pratt Street to Lombard Street.

(2) Harbor City Boulevard, both sides, from Washington Boulevard to Howard Street.

(3) Hillen Street, both sides, from Holliday Street to Ensor Street.

(4) Hopkins Place (Southbound Drive), both sides, from Baltimore Street to Lombard Street.

(5) Howard Street, both sides, from Pratt Street to 29<sup>th</sup> Street.

*(City Code, 1966, art. 31, §136; 1976/83, art. 31, §108.) (Ord. 65-580; Ord. 66-821; Ord. 78-879; Ord. 79-993; Ord. 83-877; Ord. 86-827; Ord. 89-403.)*

**§ 31-79. “T” streets and areas.**

(1) I-395, both sides, from Camden Street to Conway Street.

*(City Code, 1966, art. 31, §137; 1976/83, art. 31, §109.) (Ord. 65-580; Ord. 66-821; Ord. 86-600.)*

**§ 31-80. {Reserved}****§ 31-81. “K” streets and areas.**

(1) Key Highway, south side, from Light to William and Battery Avenue to Covington Street, and north side, from Light Street to Covington Street.  
(*City Code, 1966, art. 31, §139; 1976/83, art. 31, §111.*) (*Ord. 65-580; Ord. 66-821; Ord. 83-878.*)

**§ 31-82. “L” streets and areas.**

- (1) Lafayette Avenue, both sides, from Guilford Avenue to Falls Road.
- (2) Lanvale Street, southerly side, from Maryland Avenue to St. Paul Street.
- (3) Lanvale Street, northerly side, from Maryland Avenue to Charles Street.
- (4) Lexington Street, both sides, from Gay Street to Pearl Street.
- (5) Lexington Street, south side, from Frederick Street to Gay Street.
- (6) Liberty Street, both sides, from Saratoga Street to Fayette Street.
- (7) Lombard Street, both sides, from Payson Street to Broadway.
- (8) Lombard Street, southerly side, from Broadway to Washington Street.
- (9) Lovegrove Street, both sides, from Mercer Street to Water Street.  
(*City Code, 1966, art. 31, §140; 1976/83, art. 31, §112.*) (*Ord. 65-580; Ord. 66-821; Ord. 77-329; Ord. 78-879; Ord. 86-827; Ord. 86-850; Ord. 89-402; Ord. 89-403.*)

**§ 31-83. “M” streets and areas.**

- (1) McCulloh Street, both sides, from Eutaw Street to Cloverdale Road.
- (2) Madison Street, both sides, from Fallsway to Calvert Street.
- (3) Maryland Avenue, both sides, from Chase Street to 29<sup>th</sup> Street.
- (4) Monroe Street, both sides, from Edmondson Avenue to Wilkens Avenue.
- (5) Monument Street, north side, from Fallsway to Washington Street.
- (6) Mt. Royal Avenue, northerly side, from North Avenue to Guilford Avenue.
- (7) Mt. Royal Avenue, southerly side, from North Avenue to Maryland Avenue.
- (8) Mt. Vernon Place, both sides, between the east and west drives of Washington Place.

(9) Mount Street, both sides, from Mulberry Street to Franklin Street.

(10) Mulberry Street, both sides, from St. Paul Street to Warwick Avenue.  
(*City Code, 1966, art. 31, §141; 1976/83, art. 31, §113.*) (*Ord. 65-580; Ord. 66-821; Ord. 77-275; Ord. 77-598; Ord. 78-718; Ord. 78-879; Ord. 83-895; Ord. 85-477.*)

**§ 31-84. “N” streets and areas.**

(1) North Avenue, southerly side, from Charles Street to Guilford Avenue.  
(*City Code, 1966, art. 31, §142; 1976/83, art. 31, §114.*) (*Ord. 65-580; Ord. 66-821.*)

**§ 31-85. “O” streets and areas.**

(1) Orleans Street, both sides, from St. Paul Place to Pulaski Highway.  
(*City Code, 1966, art. 31, §143; 1976/83, art. 31, §115.*) (*Ord. 65-580; Ord. 66-821.*)

**§ 31-86. “P” streets and areas.**

(1) Paca Street, both sides, from Camden Street to McCulloh Street.

(2) Park Avenue, both sides, from Baltimore Street to Mulberry Street.

(3) Park Avenue, easterly side, from Chase Street to Biddle Street.

(4) Pimlico Race Track Area. That area in the general vicinity of Pimlico Race Track bounded by a point beginning at the intersection of Greenspring Avenue and Oakley Avenue and continuing westerly on Oakley Avenue to its point of intersection with Park Heights Avenue; north on Park Heights Avenue to its point of intersection with Glen Avenue; east on Glen Avenue and Cross Country Boulevard and then continuing south on Cross Country Boulevard to its point of intersection with Greenspring Avenue and south on Greenspring Avenue to the point of beginning, including Hayward Avenue from Park Heights Avenue to Reisterstown Road, but excluding Park Heights Avenue, at such locations as the Department of Public Works shall erect signs setting forth a parking prohibition together with the legend “Cars Towed Away”; except that this subtitle (1) shall not be effective on Preakness Day; and (2) shall be effective in this area only during meets at Pimlico Race Track.

(5) Pratt Street, north side, from Washington Street to Scott Street.

(6) Pratt Street, south side, from Broadway to Martin Luther King Boulevard.

(7) President Street, both sides, from Fayette Street to Aliceanna Street.  
(*City Code, 1966, art. 31, §144; 1976/83, art. 31, §116.*) (*Ord. 65-580; Ord. 66-821; Ord. 78-879; Ord. 79-994; Ord. 81-539; Ord. 84-044; Ord. 86-827; Ord. 87-1108; Ord. 87-1109; Ord. 88-016; Ord. 89-403.*)

**§ 31-87. {Reserved}**

**§ 31-88. “R” streets and areas.**

(1) Redwood Street, north side, from Charles Street to Light Street.  
(*City Code, 1966, art. 31, §146; 1976/83, art. 31, §118.*) (*Ord. 65-580; Ord. 66-821; Ord. 79-1186; Ord. 84-008; Ord. 86-827; Ord. 89-403.*)

**§ 31-89. “S” streets and areas.**

- (1) St. Paul Place, both sides, from Centre Street to Lexington Street.
- (2) St. Paul Place, alley, rear of 227 St. Paul Place.
- (3) St. Paul Street, east side, from the bridge south of Lanvale Street to Baltimore Street.
- (4) St. Paul Street, west side, from 31<sup>st</sup> Street to Baltimore Street.
- (5) Saratoga Street, both sides, from Holliday Street to Greene Street.
- (6) Sharp Street, both sides, from Saratoga Street to Clay Street.
- (7) South Street, both sides, from Baltimore Street to Pratt Street.
- (8) Stadium Area. That area in the general vicinity of Memorial Stadium on East 33<sup>rd</sup> Street, included within the outer limits of East 25<sup>th</sup> Street, Harford Road, Hillen Road, Argonne Drive, East 39<sup>th</sup> Street and Greenmount Avenue; except that this subtitle shall be effective in this area only as to any motor vehicle parked illegally in front of a driveway or garage.  
(*City Code, 1966, art. 31, §147; 1976/83, art. 31, §119.*) (*Ord. 65-580; Ord. 66-821; Ord. 78-879; Ord. 78-917; Ord. 83-873; Ord. 88-012; Ord. 89-403; Ord. 92-055; Ord. 92-110.*)

**§ 31-90. “T” streets and areas.**

- (1) 33<sup>rd</sup> Street, both sides, from St. Paul Street to Ellerslie Avenue.  
(*City Code, 1966, art. 31, §148; 1976/83, art. 31, §120.*) (*Ord. 65-580; Ord. 66-821; Ord. 78-879.*)

**§§ 31-91 to 31-92. {Reserved}****§ 31-93. “W” streets and areas.**

- (1) Water Street, both sides, from Charles Street to Lovegrove Street.
- (2) Whitman Drive, southeasterly side, alongside of Lake Montebello.
- (3) Wilkes Lane, both sides, from Calvert Street to its western terminus.
- (4) Wilkes Lane, both sides, from Charles Street to Hanover Street.  
(*City Code, 1966, art. 31, §151; 1976/83, art. 31, §123.*) (*Ord. 65-580; Ord. 66-821; Ord. 76-163; Ord. 77-329; Ord. 83-906; Ord. 86-595; Ord. 86-655; Ord. 86-843.*)

**§§ 31-94 to 31-100. {Reserved}****§ 31-101. Mid-block pedestrian crossings.**

No vehicle shall be permitted to stop or stand at any time within 50 feet of an approach to a mid-block pedestrian crossing or within a distance of 25 feet after leaving a mid-block crossing. (*City Code, 1976/83, art. 31, §113A.*) (*Ord. 77-273.*)

**§ 31-102. Fire houses; emergency vehicle parking area.**

In front of or opposite any fire engine house and in any reservation for authorized emergency vehicles in spaces marked off and designated by the Director of Public Works. (*City Code, 1966, art. 31, §155; 1976/83, art. 31, §127.*) (*Ord. 61-911; Ord. 76-005.*)

**§ 31-103. Carpool parking.**

Those locations on public metered parking lots set aside for carpool cars by the Director of Public Works. (*City Code, 1976/83, art. 31, §128.*) (*Ord. 75-871.*)

**§ 31-104. Fire lanes.**

Within any designated fire lane on either public or private property open to the use of the general public. (*City Code, 1976/83, art. 31, §128A.*) (*Ord. 77-306.*)

**§ 31-105. Spaces reserved for disabled and helpers.**

Within any space or zone marked as restricted, pursuant to § 6-9 or §§ 9-1 through 9-15 of this article, to the use of disabled persons or helpers of disabled persons on private or City-owned property open to the use of the general public, except for vehicles with special registration plates for disabled persons. (*City Code, 1976/83, art. 31, §128B.*) (*Ord. 78-856; Ord. 96-023.*)

**§ 31-106. Driveways, service drives, private ways.**

(a) *In general.*

Within any zone marked as tow away, pursuant to § 6-2 of this article, so as to obstruct or impede egress or ingress to or from a driveway, service drive, or private way.

(b) *Construction.*

Violation of this section occurs whether or not a vehicle has actually been prevented from entering or leaving the driveway, service drive, or private way. (*City Code, 1976/83, art. 31, §128C.*) (*Ord. 81-425.*)

**§§ 31-107 to 31-110. Reserved}**

***PART 8. SEVERABILITY***

**§ 31-111. Severability.**

If any sentence, clause, section, or part of this subtitle is for any reason found to be unconstitutional, illegal, or invalid, such finding shall not affect or impair any of the remaining provisions of this subtitle. It is hereby declared to be the intent of the Mayor and City Council of Baltimore that this subtitle would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

*(City Code, 1976/83, art. 31, §99.) (Ord. 69-343.)*

**SUBTITLES 32 TO 35**  
***{RESERVED}***

**SUBTITLE 36**  
**PARKING, ETC., FINES, PENALTIES, AND PROCEDURES**

**Editor's Note:** Ordinance 03-591 (Bill 00-268) reorganized and amended former §§ 36-3, 36-4, 36-6, and 36-9, raising the fines for certain offenses involving commercial vehicles and trailers. Ordinance 03-550 (Bill 03-1033) reorganized and amended former §§ 36-1 through 36-12 of this subtitle, raising the fines for all specified offenses. Neither ordinance gave effect to the other; the fines shown below are in accord with the comprehensive changes made by Ord. 03-550.

**§ 36-1. In general.**

In addition to the costs stipulated in the Maryland Code, the following fines are imposed for violation of the offenses indicated.

*(City Code, 1976/83, art. 31, §152(intro).) (Ord. 74-768; Ord. 79-1192; Ord. 03-550.)*

**§ 36-2. \$300 fines.**

Parking or standing a commercial vehicle of more than 20,000 pounds gross vehicle weight in violation of § 6-26(b) {"Stopping by residence"} or of § 6-26(c) {"Nighttime hours"} of this article is punishable by a fine of \$300.

*(City Code, 1976/83, art. 31, §152(p-2).) (Ord. 85-390; Ord. 88-136; Ord. 94-319; Ord. 03-550; cf. Ord. 03-591.)*

**§ 36-3. \$200 fines.**

Stopping or parking in a space reserved for disabled persons or helpers under § 6-9 {"Disabled persons"} or Subtitle 9 {"Disabled Persons and Helpers"} of this article is punishable by a fine of \$200.

*(City Code, 1976/83, art. 31, §152(m).) (Ord. 74-768; Ord. 79-1192; Ord. 97-163; Ord. 03-550; cf. Ord. 03-591.)*

**§ 36-4. \$150 fines.**

Abandoning a vehicle in violation of § 31-8 {"Abandoned vehicles"} of this article is punishable by a fine of \$150.

*(City Code, 1976/83, art. 31, §152(a).) (Ord. 74-768; Ord. 79-1192; Ord. 83-1000; Ord. 03-550.)*

**§ 36-5. \$125 fines.**

Parking, stopping, or standing in violation of § 6-18 {"[U]nlawful dumping"} or § 6-19 {"[Waste hauler] without license displayed"} of this article is punishable by a fine of \$125.

*(City Code, 1976/83, art. 31, §152(u), (v).) (Ord. 92-122; Ord. 03-550.)*

**§ 36-6. \$100 fines.**

Parking or standing a noncommercial vehicle of more than 20,000 pounds gross weight or a commercial vehicle of 20,000 pounds or less gross vehicle weight in violation of § 6-26(b) {"Stopping by residence"} of this article is punishable by a fine of \$100.

*(City Code, 1976/83, art. 31, §152(p).) (Ord. 79-1192; Ord. 88-136; Ord. 94-319; Ord. 03-550; cf. Ord. 03-591.)*



**§ 36-7. \$75 fines.**

- (1) Obstructing or impeding the free flow of traffic is punishable by a fine of \$75.
- (2) Parking, stopping, or standing in the Pimlico Race Track Area in violation of § 31-7(c)(3) of this article is punishable by a fine of \$75.
- (3) Parking, stopping, or standing in violation of posted restrictions in any residential permit parking program area within the Camden Yards Stadium Complex Area, at any time between 1 hour before the advertised start of a stadium event and 1 hour after the event ends, is punishable by a fine of \$75.

*(City Code, 1976/83, art. 31, §152(c), (f), (q), (t).) (Ord. 74-768; Ord. 79-1192; Ord. 89-305; Ord. 92-011; Ord. 03-550.)*

**§ 36-8. \$50 fines.**

- (1) Parking on a Snow Emergency Route in violation of § 6-15 {"Snow emergency routes"} of this article is punishable by a fine of \$50.
- (2) Obstructing or impeding the movement of pedestrians is punishable by a fine of \$50.
- (3) Standing within 15 feet of a fire plug or fire hydrant in violation of § 6-6(a) {"Engine hydrants"} of this article is punishable by a fine of \$50.
- (4) Stopping in front of or opposite a fire engine house in violation of § 6-6(c) {"Engine houses"} of this article is punishable by a fine of \$50.
- (5) Stopping or parking in a transit stop is punishable by a fine of \$50.
- (6) Parking or standing a noncommercial vehicle of more than 20,000 pounds gross weight or a commercial vehicle of 20,000 pounds or less gross weight in violation of § 6-26(c) {"Nighttime hours"} of this article is punishable by a fine of \$50.

*(Ord. 03-550; cf. Ord. 03-591.)*

**§ 36-9. \$40 fines.**

- (1) Parking, stopping, or standing where parking, stopping, or standing is prohibited and impounding is authorized is punishable by a fine of \$40.
- (2) A parking meter violation on an impounding street during the hours that a vehicle may be impounded is punishable by a fine of \$40.
- (3) Except as otherwise provided in this subtitle for the Pimlico Race Track Area or the Camden Yards Stadium Complex Area, parking in violation of posted restrictions in a residential permit parking area is punishable by a fine of \$40.

*(City Code, 1976/83, art. 31, §152(b), (d), (e), (g), (h)(1), (h)(2), (i), (n), (o).) (Ord. 74-768; Ord. 79-1192; Ord. 84-023; Ord. 92-105; Ord. 03-550.)*

**§ 36-10. \$25 fines.**

(1) Parking or standing at the entrance of a public parking lot or garage in violation of § 6-8 {“Entrances to ... lots or garages”} of this article is punishable by a fine of \$25.

(2) Obstructing a driveway in violation of § 6-12 {“Private driveways”} of this article is punishable by a fine of \$25.

(3) Any parking, standing, or stopping violation of this article not otherwise provided for in this subtitle is punishable by a fine of \$25.

(City Code, 1976/83, art. 31, §152(h)(3), (j), (l).) (Ord. 74-768; Ord. 79-1192; Ord. 89-305; Ord. 92-105; Ord. 03-550.)

**§ 36-11. \$21 fines.**

A parking meter violation during the hours that parking at the meter is permitted is punishable by a fine of \$21.

(Ord. 03-550.)

**§§ 36-12 to 36-20. {Reserved}****§ 36-21. Collection of fines.**

(a) *Payment to Director of Finance.*

All fines imposed by this subtitle shall be payable to the Director of Finance, who shall control the issuance of prenumbered citation forms to the Police Department and record the final disposition of each citation.

(b) *Notice to Court.*

Upon receipt of notification that the recipient of a citation intends to stand trial for said offense, the Director of Finance shall forward to the District Court a copy of the citation and a copy of the notice from the person who received the citation indicating his intention to stand trial.

(City Code, 1976/83, art. 31, §153.) (Ord. 74-768.)

**§ 36-22. Imposition of penalties.**

(a) *Notice to offender.*

If a person fails to pay the appropriate fine for a violation by the date specified in the citation and fails to file a notice of intention to stand trial for the offense, a formal notice of the violation shall be sent to the owner's last known address.

(b) *Penalties if not paid.*

(1) If, within 15 days from the date of the notice, the citation has not been satisfied, the person who received the citation is liable for a penalty of \$16 for each month or part of a month the citation remains unsatisfied.

(2) If the City has requested the State Motor Vehicle Administration to refuse registration or transfer of registration of the subject vehicle until the charge has been satisfied, a further penalty of \$25 is imposed.

(3) These penalties are in addition to and may be collected in the same manner as the fines imposed by this subtitle.

(City Code, 1976/83, art. 31, §154.) (Ord. 74-768; Ord. 90-520; Ord. 99-400; Ord. 03-596; Ord. 04-672.)

### **§ 36-23. Amnesties.**

(a) *General authority to offer amnesty.*

Except as otherwise provide in this section, the Director of Finance, with the approval of the Board of Estimates, may periodically offer amnesty from the payment of penalties that have accumulated on fines for parking, stopping, or standing violations.

(b) *Special 2-day amnesty; 10-year moratorium.*

(1) Within 60 days of the enactment of this section, the Director of Finance shall offer a 2-day amnesty period during which outstanding fines for parking, stopping, and standing violations may be paid without liability for any penalties that have accumulated on those fines.

(2) At the end of that 2-day amnesty period, no further amnesties may be offered for 10 years.

(c) *Rules and regulations.*

(1) The Director of Finance may adopt rules and regulations to carry out this section.

(2) A copy of these rules and regulations must be filed with the Department of Legislative Reference before they take effect.

(Ord. 03-596.)

### **§ 36-24. Powers of Director of Finance.**

(a) *In general*

In addition to the powers granted to the Director of Finance in connection with the collection of the fines and penalties imposed by this subtitle, the Director may:

(1) adopt rules and regulations as the Director considers necessary or proper:

(i) to fully collect the fines and penalties imposed by this subtitle; and

(ii) to define any terms used in connection with the collection of those fines and penalties;

(2) waive all fines, penalties, charges, and costs where there has been a material error in the preparation of the citation;

- (3) delegate any of his or her powers, duties, or functions in connection with the collection of the fines, penalties, charges, and costs imposed by this subtitle and the enforcement of the provisions relating to them to any other agent, representative, or employee of the Director or the City;
- (4) refund the amount of any charge paid in error, within 3 years from the date of the erroneous payment; and
- (5) refund or waive collateral, towing charges, and storage costs that, in the Director's opinion and in accordance with the Director's regulations, have been improperly assessed.

(b) *Reporting certain actions.*

Any action taken under subsection (a)(4) or (5) of this section must be documented in a monthly report prepared by the Director and submitted to the City Auditor for review.

*(City Code, 1976/83, art. 31, §155.) (Ord. 74-768; Ord. 92-098; Ord. 99-414; Ord. 03-596.)*

**SUBTITLE 37**  
**GENERAL PENALTIES FOR VIOLATIONS**

**§ 37-1. General fine.**

Any person violating any provision or regulation of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not exceeding \$100 for each and every offense, except where another penalty is specified.

*(City Code, 1927, art. 4, §61; 1950, art. 38, §78; 1966, art. 31, §94; 1976/83, art. 31, §70.) (Ord. 08-139; Ord. 74-768.)*